

September 23, 2016

SUBMITTED ELECTRONICALLY VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW Washington, DC 20554

Re: Appeal of Keystone Public Schools (BEN: 140099), for denial of FY 2013 Application 909329 FRN 2476023 and FY 2014 Application 964484 FRN 2621116

Pursuant to 47 C.F.R. § 54.719(a), Keystone hereby respectfully submits this appeal of decisions by the Universal Service Administrative Company (USAC) to deny FRN 2476023 for Funding Year 2013 and FRN 2621116 for Funding Year 2014.

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The reason for denial:

“The FRN is denied because you did not select the most cost-effective bid proposal. FCC rules state that in selecting a provider of eligible services, applicants must carefully consider all bids submitted and must select the most cost-effective service offering. The FCC codified in the Ysleta Order, that in evaluating bids from prospective service providers, applicants must select the most cost-effective offering from the bids received. The selected bid must itself be cost-effective compared to the prices available commercially and stated that ‘there may be situations where the price of services is so exorbitant that it cannot, on its face, be cost-effective. For instance, a proposal to sell at prices two to three times greater than the prices available from commercial vendors would not be cost effective, absent extenuating circumstances.’”

Signed:

_____/s/____

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I. INTRODUCTION

Keystone Public Schools (Keystone or the District) hereby respectfully requests that the Universal Service Administrative Company (USAC) reverse its decision to deny Schools and Libraries (E-rate) universal service funding to Keystone for its FRN 2476023 on 471 Application Number 909329 for Funding Year 2013 and FRN 2621116 on 471 Application Number 964484 for Funding Year 2014.

USAC denied the District's request for funding because USAC claims that the District did not select the most cost-effective bidder to provide its Internet access services. To the contrary, as the discussion below will explain, the District satisfied all of the program's competitive bidding rules and selected the most cost-effective services, when it considered price and its other evaluation criteria. USAC's use of a bright-line standard is contrary to Commission precedent stating no such bright-line test exists, and, regardless, *Ysleta* is not applicable here.

Upholding the denials of these applications will preclude a fair and open competitive bidding process in which all bids are fairly evaluated, render the competitive bidding process meaningless and will force schools to select a lower-cost bid, even if not the most cost-effective, contrary to program rules – and possibly their own competitive bidding requirements. For practical purposes, this ruling by USAC will make price the only factor that matters in the E-rate competitive bidding process. That will result in many applicants selecting services that do not provide the best value for them or, therefore, the E-rate program. Such an outcome would not serve the E-rate program or statutory goals. Thus, we respectfully ask USAC to reverse its decision and grant funding to the District for the funding request at issue.

II. BACKGROUND

Keystone is a small K-8 district in northeastern Oklahoma. The District has approximately 300 students and at the time that the competitive bidding process was conducted, the district did not have a full time IT person on staff.¹

For Funding Year 2013 the District filed a 470 requesting bids for Internet access.² The District also released a Request for Proposal on October 15th, 2012.³ Included in this RFP was a request for Internet access.

The District received two bids for the Internet access portion of the RFP: Meet Point Networks and OneNet.⁴ After carefully evaluating the bids received, the District selected Meet Point Networks to provide their Internet access under a multi-year contract.⁵

On May 20th, 2016 USAC issued a Notification of Commitment Adjustment Letter that denied the funding request for Meet Point services on FRN 2476023.⁶ The reason for the denial states:

“The FRN is denied because you did not select the most cost-effective bid proposal. FCC rules state that in selecting a provider of eligible services, applicants must carefully consider all bids submitted and must select the most cost-effective service offering. The FCC codified in the Ysleta Order, that in evaluating bids from prospective service providers, applicants must select the most cost-effective offering from the bids received. The selected bid must itself be cost-effective compared to the prices available commercially and stated that ‘there may be situations where the price of services is so exorbitant that it cannot, on its face, be cost-effective. For instance, a proposal to sell at prices two to three times greater than the prices available from commercial vendors would not be cost effective, absent extenuating circumstances.’”

¹ Affidavit of Lori Veteto, ¶ 5

² FCC Form 470 #365340001050099 (FY 2013 Form 470).

³ FY 2013 RFP, Exhibit 1.

⁴ See Exhibit 2, 2013 Bids Received.

⁵ 2013 FCC Form 471 # 909329, EXHIBIT 3. The services also include 24 x 7 troubleshooting and repair, onsite visits to restore Internet access, firewall services, and email and web hosting.

⁶ Exhibit 4, Notification of Commitment Adjustment Letter, dated 5/20/2016.

For Funding Year 2014 the District filed a 470 requesting bids for Internet access and other unrelated services.⁷ The District also released an Invitation for Competitive Bids (IFCB – also known as a Request for Proposal or RFP) on November 4th, 2013.⁸ Included in this RFP were requests for Internet access and additional services.

The District received three bids for the Internet access portion of the RFP: Meet Point Networks, AirLink and OneNet.⁹ After carefully evaluating the bids received, the District selected Meet Point Networks to provide their Internet access under a multi-year contract.¹⁰

On May 20th, 2016 USAC issued a Notification of Commitment Adjustment Letter that denied the funding request for Meet Point services on FRN 2621116.¹¹ The reason for the denial states:

“The FRN is denied because you did not select the most cost-effective bid proposal. FCC rules state that in selecting a provider of eligible services, applicants must carefully consider all bids submitted and must select the most cost-effective service offering. The FCC codified in the Ysleta Order, that in evaluating bids from prospective service providers, applicants must select the most cost-effective offering from the bids received. The selected bid must itself be cost-effective compared to the prices available commercially and stated that ‘there may be situations where the price of services is so exorbitant that it cannot, on its face, be cost-effective. For instance, a proposal to sell at prices two to three times greater than the prices available from commercial vendors would not be cost effective, absent extenuating circumstances.’”

Keystone received USAC Appeal Denial Letters for 2013 on July 27, 2016 and for 2014 on July 27, 2016.¹²

By this letter, the District appeals USAC’s decision to rescind its funding commitments.

Commission rules allow 60 days for the filing of an appeal to the FCC.¹³ Because this appeal is filed within 60 days of USAC’s decision, it is timely filed.

⁷ FCC Form 470 # 401850001160166 (FY 2013 Form 470).

⁸ FY 2014 RFP, Exhibit 5.

⁹ See Exhibit 6, 2014 Bids Received.

¹⁰ FCC Form 471 # 964484, EXHIBIT 7. The services also include 24 x 7 troubleshooting and repair, onsite visits to restore Internet access, firewall services, and email and web hosting.

¹¹ Exhibit 8, Notification of Commitment Adjustment Letter, dated 5/20/2016.

¹² Administrator’s Decision Letters for 2014 and 2013, Exhibit 9.

III. BECAUSE KEYSTONE SELECTED THE MOST COST-EFFECTIVE SERVICES, ITS E-RATE APPLICATION FOR FY 2013 and FY 2014 SHOULD BE RE-INSTATED

Federal Communications Commission rules require applicants to seek competitive bids for all services and equipment eligible for E-rate discounts.¹⁴ Applicants are required to “carefully consider all bids submitted” and to select “the most cost-effective service offering” using the price of eligible goods and services as the primary factor.¹⁵ Under section 54.511(a) of the Commission’s rules, an applicant “may consider relevant factors other than the pre-discount prices” submitted by providers to determine which service offering is the most cost-effective, so long as price is the primary factor considered.¹⁶

The Commission’s *Tennessee Order* ruled there is a presumption of cost-effectiveness when the applicant meets all of the requirements of the competitive bidding process and when the applicant pays its share of the costs.¹⁷ Nevertheless, USAC alleges that the District did not select the most cost-effective service offering. USAC claims that the District’s selection of services that cost more than two times another bid violates the Commission’s directive in *Ysleta*.¹⁸ The “standard” used by USAC, however, has never been adopted by the Commission

¹³ 47 C.F.R. § 54.719(a); 47 C.F.R. § 54.720(b).

¹⁴ See 47 C.F.R. § 54.503(a)-(b) (2014). See also *In the Matter of Fed.-State Joint Bd. on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 97-157 at ¶ 480 (1997) (*First Universal Service Order*) (finding that “fiscal responsibility compels us to require that eligible schools and libraries seek competitive bids for all services eligible for [E-rate] discounts.”).

¹⁵ *Id.* at § 54.511(a) (2012) and (2014). See also 47 C.F.R. §§ 54.503(c)(2)(vii), 54.504(a)(1)(xi) (2012) (requiring applicants to certify on FCC Forms 470 and 471 respectively that the most cost-effective bid will be or was selected).

¹⁶ 47 C.F.R. § 54.511(a).

¹⁷ *Tennessee Order* at ¶¶ 9-12 .

¹⁸ See Funding Commitment Decision Letter; *Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District El Paso, Texas, et al.*, Order, FCC 03-313, 18 FCC Rcd 26407, n. 138 (2003) (*Ysleta Order*).

as a bright-line standard for cost-effectiveness. USAC is also applying this standard to compare bids that provide different service components (that are eligible). Further, the dicta in *Ysleta* is not applicable to this case.

A. Keystone Followed E-rate Competitive Bidding Rules to Select the Most Cost-Effective Bid, Contrary to USAC’s Allegations.

In the *Universal Service Order* establishing the E-rate program, the Commission agreed with the recommendation of the Federal-State Joint Board on Universal Service that schools and libraries should not be required to choose the lowest-priced service but instead should be allowed the “‘**maximum flexibility**’ to take service quality into account and to choose the offering or offerings that meets their needs ‘most effectively and efficiently.’”¹⁹ In the *Second Report and Order*, the Commission codified the requirement that price must be the primary factor when applicants analyze bids they have received.²⁰

Significantly, the Commission’s rules have never required schools and libraries to select a provider offering a lower price, even among bids for comparable service.²¹ Given that price, as a category, only has to be weighted one point higher than any other category,²² however, it is

¹⁹ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, at ¶ 481 (1997) (*Universal Service Order*) (quoting the Joint Board’s recommendation).

²⁰ *See Schools and Libraries Universal Support Mechanism*, CC Docket No. 02-6, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202, FCC 03-101 (2003) (codifying 47 C.F.R. §54.511(a)) (*Second Report and Order*); *see also School and Libraries Universal Support Mechanism*, CC Docket No. 02-6, Fifth Report and Order and Order, 19 FCC Rcd 15808 (2004) (codifying 47 C.F.R. § 54.504(b)(2)(vii) and 47 C.F.R. § 54.504(c)(1)(xi)) (*Fifth Report and Order*).

²¹ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9029, para. 481 (1997) (subsequent history omitted) (*Universal Service Order*). *See also Tennessee Order* at ¶ 9 (“Even among bids for comparable services, however, this does not mean that the lowest bid must be selected.”).

²² If, for example, a school assigns 10 points to reputation and 10 points to past experience, the school would be required to assign at least 11 points to price. *See Ysleta Order* at ¶ 50, n. 138.

quite likely that a vendor could be awarded fewer points in the cost category yet still win the bid based on points earned in the technical (non-price) categories. In fact, the Commission has stated repeatedly that price cannot be the only factor for the obvious reason that “price cannot be properly evaluated without consideration of what is being offered.”²³

The District met the Commission’s requirements by giving more weight to price than to any other factor it used in the selection process and by appropriately awarding points in the other non-cost factors. The bid evaluation sheets used by the District for both 2013 and 2014 allotted a maximum of 40 points (more than double the only other criteria) for the price of eligible goods and services. There was only one other bid criteria – Service History, weighted at 20 points for both years.²⁴

Keystone received two bids for its Internet access services in 2013 and three bids for 2014. In addition to the price category, as described above, Keystone also evaluated bidders based on service history. For both 2013 and 2014 USAC points to the OneNet bid as the bid the district should have selected. For both 2013 and 2014 USAC claims that OneNet would have been a more cost-effective solution because the Meet Point bid was over 2 times more expensive than the OneNet bid.

For both funding years, OneNet received the maximum points available for Cost of Eligible goods and services – 40 points.²⁵ For both years, Meet Point scored 30 points for Price of Eligible Goods and Services and the full 20 points for Service History.

Keystone does not have a full time IT person on staff. Lori Veteto is the main secretary for Keystone Public Schools. She is also the attendance clerk, scheduling secretary, encumbrance

²³ *Tennessee Order* at ¶ 8.

²⁴ 2013 Bid Evaluation Sheets, Exhibit 10. 2014 Bid Evaluation Sheets, Exhibit 11.

²⁵ *Id.*

clerk and a bus driver. In addition to these duties she is employee responsible for IT needs, which includes 90 computers, 40 iPads, 4 smart board, printers, televisions and DVD players.²⁶

Keystone considered the quality of service, as the Commission explicitly recognized in *Tennessee*, and selected the bid that met its needs “most effectively and efficiently.”²⁷ To meet the needs of its students and teachers, Keystone required an Internet access service that provided strong network security.²⁸ Meet Point received higher scores for Service History because the district had a strong, positive relationship with the principals of Meet Point since 1999.²⁹ The District describes that they have had a “solid working relationship” with the principals of Meet Point, and that they received excellent customer service: “Often, before we even knew we were down, we would receive a phone call from Meet Point asking if there was power to the router...their response was often ‘we’ve already called in a trouble ticket on this, we’ll have you up within a short amount of time.’”³⁰ This kind of prompt customer service was especially important for a school that did not have full time IT staff – during any given point of the day Lori may have been driving a bus or performing her other non IT duties at the school.

Meet Point received higher scores in Service History based upon the District’s direct experience with the people that ran Meet Point in previous funding years – the school said that they have had a “positive service history” with the Meet Point staff.³¹ The staff at Meet Point had been responsible for initiation of the Internet services; configuration of the router; determining the cause of any issues with the services and resolving those issues; and the configuration, administration and issue-resolution of email services. Their work ethic

²⁶ Veteto Aff. ¶ 5

²⁷ *Tennessee Order* at ¶ 9

²⁸ Veteto Aff. ¶ 9(v)

²⁹ Veteto Aff. ¶ 14

³⁰ *Id.*

³¹ Veteto Aff. ¶ 19(b)

demonstrated a commitment to providing the best services for the District. As the Commission has noted, “[A] school should have the flexibility to select different levels of services, to the extent such flexibility is consistent with that school’s technology plan and ability to pay for such services.”³² The quality of service and responsiveness when problems arise are especially important to small districts that have no full time employees to focus on technology.

Additionally, Meet Point offered other services that OneNet did not. Because the District was understaffed for its IT needs, firewall service and available onsite tech support were important to them.³³ Meet Point offered these services; OneNet did not in either FY 2013 or FY 2014. As noted by the Commission, applicants cannot properly consider price without consideration of what services are being offered. Here, Meet Point offered additional services that OneNet did not include in their bid proposal.

In contrast, OneNet received lower point awards than Meet Point for Service History. Specifically, Keystone had heard from multiple OneNet customers that OneNet’s customer service and support, both very important factors for the district, was sub-par. The District reported that “OneNet had received negative reviews from other schools in the timeliness of response to outages and other service calls.”³⁴ What is the point of going with a lower-priced provider if they can’t restore service in a timely fashion?

In 2011 OneNet sponsored a K12 conference in OK – *NetPotential* 2011. During this conference, Von Royal, the Executive Director and CIO of OneNet admitted they had problems with their network, and that they were “not pleased with all the levels of service we were

³² *Tennessee*, Para. 9

³³ Veteto Aff. ¶ 14 & 19

³⁴ Veteto Aff. ¶ 8, 14 & 19

providing, so we undertook a major upgrade.”³⁵ The word in the K12 community at that time was that OneNet was oversubscribed (meaning you could order a 100 Mb circuit and only get a portion of that bandwidth) – as Wes Fryer, a respected K12 technology advocate in Oklahoma, writes: “OneNet has historically over-subscribed its k-12 educational network when it comes to bandwidth.”³⁶ OneNet themselves admitted that their network had not been performing to the standards they would have liked.

Additionally, OneNet’s 2014 bid was a hybrid bid – the service was to be provided over fiber and wireless connections (the 2014 bid notes that the “last mile” would be delivered wirelessly).³⁷ As the District explains: “In Oklahoma, where we have frequent severe storms, wireless service is not as stable and reliable as is Internet access delivered via fiber, which was included in the Meet Point bid.”³⁸

Keystone evaluated the Internet access providers based on categories that it determined were important. That evaluation led Keystone to select the service provider with the offer that best met the District’s needs. It choose Meet Point because it determined that the service history, service offered and customer service of Meet Point were superior to that of OneNet – as allowed and encouraged by Commission orders and E-rate program rules.

B. The Commission Has Never Established a Bright-Line Standard, as USAC Has Done Here.

After adopting the guidance on cost-effectiveness in *Tennessee*, the Commission declined to adopt a bright-line standard for cost-effectiveness. In the *Third Report and Order* – released

³⁵ *Moving at the Speed of Creativity* October 21, 2011, <http://www.speedofcreativity.org/2011/10/21/netpotential-2011-conference-notes-netpotential11/>

³⁶ *Moving at the Speed of Creativity*, March 22, 2011, <http://www.speedofcreativity.org/2011/03/22/iphone-tethering-cellular-bandwidth-consumption-the-home-school-internet-access-divide/>

³⁷ 2014 OneNet Bid

³⁸ Veteto Aff. ¶ 19

two weeks after *Ysleta* – and in a paragraph directly referencing *Ysleta*, the Commission specifically noted it did not have a bright-line test for cost-effectiveness: “Nor do our rules expressly establish a bright line test for what is a ‘cost effective’ service.”³⁹ The Commission has twice sought comment on whether to adopt specific standards or provide additional guidance with respect to this rule, but has so far declined to do so.⁴⁰

Contrary to these Commission declarations, however, USAC points to *Ysleta* as support for stating that Keystone’s services are not cost-effective, by stating that the services selected through Keystone’s competitive bidding process were more than two times the OneNet bid. There are several problems with USAC’s reliance upon *Ysleta* here. First, USAC appears to be establishing a bright-line rule even though the Commission has expressly stated that it has not

³⁹ See, e.g., *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Third Report and Order and Second Further Notice of Proposed Rulemaking, FCC 03-323, at ¶ 87 (*Third Report and Order*) (“Our rules do not expressly require, however, that the applicant consider whether a particular package of services are the most cost effective means of meeting its technology needs. Nor do our rules expressly establish a bright line test for what is a “cost effective” service.”); *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Notice of Proposed Rulemaking, FCC 13-100, at ¶ 213 (*Modernization NPRM*) (“[W]e seek to refresh the record on whether we should adopt bright line tests, benchmark or formula for determining the most cost-effective means of meeting an applicant’s technology needs.”). It is notable, however, that the Commission appeared to focus on situations where no bid or only one bid was received, and those situations where applicants are selected expensive priority one services simply because they are supported, even though they are unnecessary or when less expensive services would fill the same need. *Modernization NPRM* at ¶¶ 203, 212-213.

⁴⁰ In 2003, in the *Third Report and Order*, the Commission sought comment on whether it should codify additional rules to ensure that applicants make informed and reasonable decisions in deciding for which services they will seek discounts. *Third Report and Order*, at ¶ 87. In the *Modernization NPRM*, the FCC sought comment on adopting new standards for cost-effectiveness. *Modernization Order*, at ¶¶ 211-216. In the *First Modernization Order*, the Commission provided limited guidance related to the showing of cost-effectiveness necessary to receive funding for data plans for wireless devices and wireless air cards providing Internet access. The Commission ruled the wireless services are not cost-effective if they are duplicating service already being provided. *Id.* at ¶ 151.

adopted a bright-line standard.⁴¹ As USAC is aware, USAC cannot interpret Commission rules.⁴² As such, USAC should not use a bright-line standard of “two times” other bids to determine that services selected through Keystone’s competitive bidding process are not cost-effective. Further, the Commission directed USAC to review its approach to cost-effectiveness reviews and then share the information with applicants and services providers before it attempts to implement a new approach, with oversight performed by the Wireline Competition Bureau and the Office of the Managing Director.⁴³ As of the date of filing this appeal, USAC has not provided this information. It is a potential violation of the Administrative Procedure Act and, at a minimum, fundamentally unfair to applicants to adopt a new standard of review and simply not tell the applicants what the standard is before holding them to it. In fact, the Commission should seek comment in a rulemaking process to establish a new standard, as it has done twice before without adopting such a standard. As the Commission has recognized by seeking comment on this issue, the Commission should adopt an order revising its own precedent if it desires to do so.⁴⁴

Second, *Ysleta*’s facts are not applicable to this situation. The Commission in *Ysleta* analyzed a competitive bidding process in which the school district received one or no bids.⁴⁵ Keystone sought bids through the FCC Form 470 process for its E-rate eligible services. In *Ysleta*, the Commission stated – in dicta – that a price for a piece of *equipment* two to three times

⁴¹ See *Third Report and Order* at ¶ 87; *Modernization NPRM* at ¶ 213.

⁴² 47 C.F.R. § 54.702(c).

⁴³ *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, *Connect America Fund*, WC Docket No. 90-90, Second Report and Order and Order on Reconsideration, FCC 15-189 (2014) at ¶ 126.

⁴⁴ *Third Report and Order*, ¶ 87; *Modernization NPRM*, at ¶¶ 213.

⁴⁵ *Ysleta* at ¶ 54.

“the prices available from commercial vendors would not be cost-effective, absent extenuating circumstances.”⁴⁶ The example the Commission gave in *Ysleta* was of a piece of equipment. Equipment, unlike services, are commodities and more easily comparable. Even so, people often make purchasing decisions based on the quality of the brand of the product. The same is true – and even more so – for services. Evaluations of competing services are, of course, different than evaluating bids for the same piece of equipment. When evaluating a service, Applicants will have to consider the reliability of the service, the ability of the service provider to restore service in downtimes (including the technical expertise of the staff), and if the service provides the elements the Applicant would be purchasing (for example, are we really getting the amount of Internet access we have ordered?). Accordingly, USAC should not use *Ysleta* to support its analysis when comparing services, especially when the bids are different and include different, eligible services – such as on-site technical support and firewall services. As described above, Keystone compared the quality of services of Meet Point with the services provided by OneNet and reached the conclusion that Meet Point’s services were superior.

Third, the *Ysleta* decision does not establish a standard that applicants are precluded from selecting bids that are twice as expensive as “the lowest bid.” The standard in *Ysleta* is “two or three times” the prices that are **commercially available** for those services,⁴⁷ which begs the question: *What would have been the pricing of the lower bidders had they included the additional, eligible services that Meet Point provides, or if those lower-priced bidders had the level of expertise of the Meet Point staff?* Of course, the answer to that question is “unknown” which means comparing these two bids using the *Ysleta* standard is a moot exercise and is not a fair evaluation of what is and is not cost effective.

⁴⁶ *Id.*

⁴⁷ *Id.*

Is Meet Point's bid "too expensive" for USAC to fund? We disagree with the conclusion that it is. The only way to determine if the bid is "too expensive" is to compare it to other commercially available services. USAC did not compare Meet Point's bid, which provided for different levels of support (cell phone numbers for the principals, on-site support and turn up) and different services (firewall services) than the other bidders, to other similar, commercially available offerings. USAC, in trying to make that determination could have surveyed local providers to determine what the commercially reasonable local price would be for a similar set of services (both scope and quality), or USAC could have used existing information they have gathered via 471 submissions about similar Internet access services provided in Oklahoma. We believe the price that Meet Point charges, given the level of support, the technical expertise of their staff and additional services offered, is commercially reasonable.

Additionally, we note that USAC funded the 2013 FRN for the District. USAC knew exactly how much they were paying for exactly how much bandwidth. USAC has cost-effectiveness standards before they fund applications to "red flag" funding requests that are out of a normal range. The District's 2013 FRNs did not trigger one of those USAC pre-funding cost effectiveness review. For USAC to fund the FRN, knowing exactly how much they were paying for a specific amount of bandwidth and services and then years later demand that the District repay that funding is patently unfair to the District.

Finally, the Commission in *Ysleta* was also describing a situation in which there was only one bidder, and therefore no competitive bidding, this precluding the applicant from any comparison of services or price.⁴⁸ In such a case, the applicant is at the mercy of the service provider's pricing and does not have a choice as to providers. Keystone was not held hostage to

⁴⁸ *Id.*

one provider. It received multiple bids and made a reasoned judgment regarding the services and comparative costs that met its needs through its competitive bidding process.

The reason that Keystone selected a more expensive service provider – even though funding for schools is tight in Oklahoma – is that a properly functioning Internet service is critical to the success of its students. The evaluation categories of location, service history, expertise of the company and understanding the needs of the District all relate to whether the Internet access service will function as expected or be repaired as quickly as possible. Internet access services are as important to Keystone as its other utilities, including heat and water. With the way the curriculum is structured, the schools simply cannot function if the Internet is not accessible. It is not cost-effective for either the District or the E-rate program to pay for an Internet service – no matter how inexpensive it is – that does not further the goal of providing students with access to greater educational opportunities. Further, the District believed it was cost-effective for its needs as a small, understaffed district, to pay extra for a service that included enhanced levels of support and protection (*i.e.*, the firewall).⁴⁹ Keystone chose the service provider that was most cost-effective for its needs.⁵⁰

C. USAC's Decision in This Case Undermines Program Policies and Goals

Application of USAC's decision on a consistent basis will not further E-rate program policies and goals. First, it will force applicants in some cases to select a provider that does not offer the most cost-effective services for the applicants' needs – and likely could cause applicants to perform a disingenuous bid review process. Second, this decision could require applicants to weight price more heavily in the bid evaluation process – which is not required by

⁴⁹ Veteto Aff. ¶ 14& 19

⁵⁰ Veteto Aff. ¶ 24

Commission rules – in order to try to meet USAC’s newly created standard. Finally, the District will suffer significant harm if its funding is denied.

First, USAC’s attempt to second-guess the work of the District will force applicants to select a lower-priced offering, regardless of quality or other relevant criteria, so they will not be subject to second-guessing months or years after the conclusion of the competitive bidding process. To prevent this potential denial of funding, applicants will be forced to select a lower-price bidder, notwithstanding their review of the vendors’ bids using the other factors important to the individual applicants.

Using such a standard will lead to a disingenuous bidding process. Applicants are required to consider all valid bids received.⁵¹ Is it really USAC’s position that an applicant must evaluate a bid that is two times more expensive than the other bids, but that bid (under USAC’s interpretation of *Ysleta*) must always lose? Are applicants supposed to manipulate the evaluation process so that the more expensive vendor receives fewer points, notwithstanding the reviewer’s actual analysis of the bid responses? A fair and open competitive bidding process cannot have pre-determined outcomes. Such a result could cause applicants to violate their own competitive bidding requirements. Further, what is the point of allowing the applicant the “maximum flexibility” to consider service history, quality of service, or other reasonable factors of a bid that USAC has pre-determined must always lose? An applicant that follows all of its own state and local procurement rules should not be prohibited from selecting a bid that meets its needs, but for a non-codified standard that USAC has decided to impose. If it is truly the intention that bids that are twice as much as the lowest bid are, on face, not cost-effective and should never win, then the program should explicitly allow applicants to disqualify those bids before the bid

⁵¹ 47 C.F.R. § 54. 511(a).

evaluation process begins, even if no disqualification factors are listed by the applicant in the FCC Form 470 and/or RFP. As it stands right now, applicants are required by FCC rules to evaluate all bids received and applicants do not have the authority to disqualify bids that are twice as expensive as the lowest bid received. Second, USAC's process to determine cost-effectiveness is flawed. USAC's current interpretation of Ysleta places the applicant in an untenable position - the applicant is required to evaluate all bids, required to use specific bid criteria weighted in a specific manner and conduct an open and fair competitive bidding process. Even when an applicant complies with all of these rules and follows all of the approved processes, if a bid is awarded the most points and determined to be the best fit for the applicant's needs, but is twice as much as a lower bid, what can an applicant do? The applicant can't simply throw out the bid or disqualify it – not only would the winning bidder have legal recourse against the applicant should the applicant throw out that bid, but the applicant could very well be in violation of local or state competitive bidding rules for not proceeding with the bid that was awarded the most points. Under USAC's interpretation of Ysleta, that bid should never win, but using the FCC's competitive bidding process and rules it did. What is the point of following all of the competitive bidding rules if it produces an outcome that USAC won't fund?

There are no allegations of competitive bidding rule violations by the District. USAC's concerns about cost-effectiveness seem better directed at the bid evaluation process that produced an outcome that USAC deems too expensive (perhaps the Commission should set more stringent procedures for weighting Price of Eligible Goods and Services at 50% of the total available points) than directing those concerns at the District. How can a winning bid be determined to be "too expensive" by USAC if the applicant properly evaluated price (and correctly awarded points) according to the Commission's rules and procedures?

Third, USAC's denial suggests the price differential should have been weighted more heavily than the District weighted it. To reach such a result, USAC is effectively overruling Commission precedent that only requires that pricing be given at least one more point than any other individual category.⁵²

At a minimum, USAC's decision here substitutes its judgment on the merits of the competitive bidding process for that of the District. When the Commission established the rules for the E-rate program in 1997, it stressed that a fundamental principle would be the determination of local needs by local decision-makers regarding what services would work best for that school or school district.⁵³ It did not try to impose a top-down regime where the federal government decided the merits of each service choice of a particular school or district. The idea was that the thousands of schools and districts would know their own technology needs better than the federal government. The Commission has not wavered from this principle. If this decision stands, USAC would be free to evaluate the merits of the respective bidders without the knowledge that applicants have regarding service quality, service history, personnel qualifications, and the value they are receiving for the services purchased. There is simply no way USAC can make a proper evaluation of the bids without that information. In this case,

⁵² As described above, USAC appears to be going beyond Commission precedent to establish a new standard without basis in Commission precedent. USAC, however, is not authorized by the Commission to interpret Commission rules. Under the Commission's rules, USAC "may not make policy, interpret unclear provisions of the statute or rules, or interpret the intent of Congress." 47 C.F.R. § 54.702(c). To the extent the Commission's rules are unclear, USAC has no authority to act without first seeking guidance from the Commission. *See id.* Moreover, the District proceeded entirely in accordance with Commission precedent when it evaluated relevant factors other than price. As a result, USAC has acted outside its authority by finding that Keystone, despite having strictly followed the Commission's rules and precedent, failed to adhere to the Commission's requirements. Furthermore, if the Commission decides that a revision to the rule would advance program goals, such an interpretation should be provided by the Commission before it is applied, and following a notice-and-comment rulemaking.

⁵³ *Universal Service Order* at ¶¶ 481, 574.

while Keystone has attempted to provide that information in responses to USAC's reviews, it appears that USAC has discounted the information or failed to take it into consideration, focusing exclusively on the price of the services.

D. If USAC Still Finds the Services Were Not Cost-Effective, USAC Should Commit Funding for Keystone at a Level That Is Cost-Effective

USAC should, at a minimum, approve part of Keystone's funding request. There is precedent for such an approach. In the *Fifth Report and Order*, the Commission provided direction for USAC for recovery of funding when it was improperly disbursed.⁵⁴ Cost-effectiveness is not directly addressed in that order.⁵⁵ However, some of the other illustrations provide guidance for the cost-effectiveness rule. If a carrier charges the beneficiary "an inflated price," the *Fifth Report and Order* directs that USAC should recover amounts disbursed in excess of what similar situated customers are normally charged in the marketplace."⁵⁶ Similarly, here, if the standard is that cost two times other pricing is not cost-effective, then, by implication, a price 1.9 times the cost is cost-effective. As such, USAC could calculate the cost of the eligible service at 1.9 times that of a lower price and fund that amount for Keystone. In addition, the Commission has ruled that, when two providers are providing the same service and one is

⁵⁴ *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Fifth Report and Order and Order, FCC 04-190 (2004) at ¶¶ 15-44 (*Fifth Report and Order*).

⁵⁵ *Id.* The Commission states that full recovery is appropriate for competitive bidding violations. However, this is not a competitive bidding violation. USAC found no issues with the competitive bidding process; it disagreed with the outcome. There are no allegations that the process was not fair and open, price was not the primary factor or that bids were not solicited for at least four weeks.

⁵⁶ *Fifth Report and Order* at ¶ 30. The Commission also discusses situations in which the beneficiary has requested a "clearly excessive" level of support. That situation is not applicable here, as the examples are those when the beneficiary is requesting a number of lines or equipment that is beyond what is necessary. There is no dispute here that the District requires this level of capacity for broadband services, nor are there any allegations that these services are duplicative or redundant.

less expensive, the applicant shall be reimbursed for its Internet connection at the lower rate.⁵⁷

Following that logic, USAC could reimburse the applicant at the rates offered by a different provider. Such an approach would minimize the harm caused by USAC's delay in determining it had an issue with Keystone's selection of Meet Point as its service provider.

* * *

For the reasons stated above, the District respectfully requests that USAC reconsider its initial decision and grant its funding requests for FY 2013 and FY 2014. As the foregoing has demonstrated, the District met the Commission requirements for competitive bidding, and selected the most cost-effective bid available to meet its needs.

⁵⁷ *Schools and Libraries Universal Service Support Mechanism*, Requests for Review by Macomb Intermediate School District, CC Docket No. 02-6, Order, FCC 07-64 at ¶ 9 (2007). This rule is applicable when the applicant could have purchased all of the services from one provider at the lower rate but chose not to, and when the services provided do not exceed the total capacity required.

List of Exhibits

Exhibit 1: 2013 RFP

Exhibit 2: 2013 Bids Received

Exhibit 3: 2013 471 Application

Exhibit 4: 2013 COMAD

Exhibit 5: 2014 Invitation for Competitive Bid (AKA: RFP)

Exhibit 6: 2014 Bids Received

Exhibit 7: 2014 471 Application

Exhibit 8: 2014 COMAD

Exhibit 9: Administrator Decision Letters

Exhibit 10: 2013 Bid Evaluations

Exhibit 11: 2014 Bid Evaluations

Affidavit

**Before the Federal Communications Commission
Washington, D.C.**

In the Matter Of)

Schools and Libraries)

Universal Service Support Mechanism)

Request for Review and/or Waiver)

By Keystone School District 15)

of the Funding Decisions by the)

Universal Service Administration Company)

CC Docket No. 02-6

Application Nos. 909329, 964484

Affidavit of Keystone School District 15

I, Lori Veteto, swear:

BACKGROUND

1. Currently, I am the main secretary for Keystone Public School. I also am the attendance clerk, scheduling secretary, encumbrance clerk and a bus driver.
2. Prior to becoming the main secretary and encumbrance clerk, I performed all of the above duties as well as IT staff responsibilities. I have been employed at Keystone School for 17 years. During that time, I have held many job descriptions. I started out as a teacher's aide, then library assistant and computer lab monitor. In 2005, I moved in to the main office as scheduling secretary and general office staff as well as beginning my IT responsibilities. In 2011, I moved out of the main office to make my desk available to the new lunch room clerk and to concentrate on keeping all the computers and technology up and running. This past January, I began training for encumbrance clerk and this past May our secretary retired, and I was asked to take over that position as I was fluent in the day to day operations of the school and the software used.

3. Graduated Coweta High School May 1985, Graduated Associates in Accounting, Tulsa Junior College (now Tulsa Community College), May 1989. No formal IT education.
4. Keystone Public School is a small rural school in Tulsa County serving approximately 300 students in Pre-Kindergarten (4-year-olds) through 8th grade.
5. With no business base in our district, we have no support in regards to mentor programs or tax dollars coming in to our school to purchase new technology. Currently we have two computer labs, one i-Pad lab and one computer in each classroom. We also have apple TV in every classroom that is not equipped with a smart board, we have four smart boards. This is down from four computer labs and two computers in each classroom in the recent past. Our IT staff consists of one individual, me. Currently, I am responsible for approximately 90 computers, 40 iPads, 4 Smart Boards, all printers, televisions and various dvd and vhs players. This is down from approximately 180 computers, 4 Smart Boards, all printers, televisions, dvd and vhs players, as we reduced our number of computer labs to two when we purchased the iPads for early grades usage and removed outdated computers in the classrooms. I have had no formal training in IT except for a few general night classes taken from Tulsa Tech. All other knowledge I have regarding technology has been learned as needed through research and help from our service provider and other schools' technology staff.

IMPORTANCE OF TECHNOLOGY

6. Technology is important to our district in every day learning. Almost all state testing is done online, our lesson plan, gradebook, student information & accounting systems are all hosted online. Our call-out system pulls from our student information system to alert

parents when a student is absent without an excuse, when students have an outstanding balance on their lunch account and also throughout the year when special notice calls are needed to inform parents of issues at school or important events that they need to be aware of. Each day, teachers utilize the smart boards or apple tv to show videos that tie into their lesson plans as well as interactive work sheets. These are not the only ways that we utilize technology, but just a few examples.

7. At this point in time, if our internet service was limited or unavailable, our school would have difficulty opening the doors for school, as all our attendance, grading and financial software is web-based, therefore, we would not even be able to print attendance sheets without internet access, nor would we be able to pay our bills due to the financial software being web-based and not available off-line.
8. Currently, we have no direct past service history with any of the bidders except for MeetPoint. In the past, I have had conversations with other technology staff who were unhappy with the level of service and customer support provided by OneNet. This knowledge combined with the service history we have with the staff at MeetPoint spurred our decision to stay with MeetPoint.

THE PROCUREMENT

9. In 11 years as IT, I determined that we needed technology sufficient to the following items:
 - i. We needed affordable connectivity sufficient to handle our needs
 - ii. We needed reliable connectivity to support the learning and teaching experiences; and

- iii. We needed quality connectivity to assure that the schools received content appropriate to their needs, and filtered out content that was inappropriate.
 - iv. We needed network protections (i.e., firewall) sufficient to protect the network from third-party spam, attacks, and viruses.
 - v. We needed to ensure that, if the network went down, our provider would be available to assist with restoring service as soon as possible.
10. Accordingly, I decided what evaluation criteria to use to evaluate the bids received.
11. I received a list of possible categories from our consultant, CRW Consulting, but I determined which categories we would use for evaluation of the bids.
12. The competitive bidding process was fair and open. Meet Point did not have any role in the development of the RFP nor did it have any information not available to any other bidder.

THE EVALUATION PROCESS 2013 (Internet)

13. I decided to use Price of Eligible Goods and Services and Service History as our criteria for evaluation as listed on the Bid Evaluation Sheet - Short form. Price of Eligible Goods and Services was weighted at 40 points possible and Service History was weighted at 20 points possible for a total of 60 points. This is in compliance with Price of Eligible Goods and Services being the most heavily weighted factor in bid evaluation.
14. In the Price of Eligible Goods and Services category, we were looking for not only the bandwidth needed but also the ease of setup as in regards to man hours required to make the switch, costs incurred as part of the setup, head-end firewall services above and beyond what our small firewall was capable of, as well as available technical support. In

the Service History category we were looking at a company we had only heard negative reports about and a company we had service history with. OneNet had received negative reviews from other schools in the timeliness of response to outages and other service calls. MeetPoint is comprised of people we have had a long service history with. The principals were the same, only the name changed. We have had a working relationship with Mike Pennell since 1999. When he formed NewNet66, we moved from AT&T to them because of AT&T's inability to deliver bandwidth, thus renewing our working relationship with Mike. From there, we developed a solid working relationship with both Mike and Beverly Fielding (both partners at Meet Point). When they saw the need for another provider and created MeetPoint, we felt it was the best choice for our school. Often, before we even knew we were down, we would receive a phone call asking if there was power to the router and other troubleshooting questions. Their response was often, we've already called in a ticket on this, we'll have you up within a short amount of time (usually less than two hours). Mike and Beverly were also in large part responsible for my IT education. Most of what I know to do or try as far as the network goes, I learned from phone calls to them or at their Tech Days workshops during the summer. Being a one-person tech "team" also meant that any changes in service would require substantial man-hours to reconfigure the local systems, including but not limited to changing settings on each and every computer.

15. For the most part, I filled out the evaluation sheets on my own and then discussed them with our Superintendent at the time. I reviewed the bids presented to me and over the course of approximately two days, I weighed the options available on the bids.

- a. For the bids in question, I was presented with a bid from OneNet and a bid from MeetPoint. In the Price category, OneNet was given 40 of 40 points and MeetPoint was given 30 of 40 points in compliance with the bid evaluation rules, as OneNet was the lower priced bid. In the Service History category, OneNet was given 0 of 20 points and MeetPoint was given 20 of 20 points. Again, in compliance with evaluation rules. We had no service history with OneNet except for the negative reports from other schools. With MeetPoint, while the name was new the principals were not. We had worked with Mike and Beverly for quite a while previously to the new name and felt that this was not a break in service history.
16. In the pricing category, MeetPoint's bid included, 24 x 7 Internet Access troubleshooting and repair (working with all necessary telecommunication providers and calling in trouble tickets), on site visits to restore internet access, unlimited email accounts supporting POP3, Web Mail, and IMAP, web site hosting service (10 Gig of space) and Firewall management. OneNet's services include (as stated on bid) the connection from your location to our hub site, unlimited email services, web hosting and related technical support.
17. The total points awarded were as follows - OneNet received 40 of 60 points, MeetPoint received 50 of 60 points.

THE EVALUATION PROCESS 2014 (Internet)

18. I decided to use Price of Eligible Goods and Service weighted at 40 points total possible, and Service History weighted at 20 points total possible for a total of 60 available per bid evaluation sheet, as listed on the Bid Evaluation Sheet - Short Form. This evaluation sheet layout provides for Price of Eligible Goods and Services to be weighted the most heavily, as is per the guidelines for bid evaluations.
19. In the Price of Eligible Goods and Services category, we were looking for not only the bandwidth needed but also the ease of setup as in regards to man hours required to make the switch, costs incurred as part of the setup, head-end firewall services above and beyond what our small firewall was capable of, as well as available technical support. In the Service History category we were looking at a company we had only heard negative reports about, a company that was as of yet untested in a school setting, and a company we had service history with. The bid from OneNet and Airlink were for Internet access services that were delivered wirelessly, not over fiber. In Oklahoma, where we have frequent severe storms, wireless service is not as stable and reliable as is Internet access delivered via fiber, which was included in the Meet Point bid. OneNet had received negative reviews from other schools in the timeliness of response to outages and other service calls. Airlink is a wireless provider who has not had a service agreement with any Oklahoma school, and therefore, untested. MeetPoint is comprised of people we have had a long service history with. The principals were the same, only the name changed. . We have had a working relationship with Mike Pennell since 1999. When he formed NewNet66, we moved from AT&T to them because of AT&T's inability to deliver bandwidth, thus renewing our working relationship with Mike. From there, we developed a solid working relationship with both Mike and Beverly Fielding (both

partners at Meet Point). When they saw the need for another provider and created MeetPoint, we felt it was the best choice for our school. Often, before we even knew we were down, we would receive a phone call asking if there was power to the router and other troubleshooting questions. Their response was often, we've already called in a ticket on this, we'll have you up within a short amount of time (usually less than two hours). Mike and Beverly were also in large part responsible for my IT education. Most of what I know to do or try as far as the network goes, I learned from phone calls to them or at their Tech Days workshops during the summer. Being a one-person tech "team" also meant that any changes in service would require substantial man-hours to reconfigure the local systems, including but not limited to changing settings on each and every computer.

- a. I filled out the bid evaluation sheets over the course of two to three days, comparing each bid received. I then took the sheets to the Superintendent at the time to get approval before sending them in to Chris Webber's office
- b. In deciding points for each category for each provider, I compared like bandwidth and services offered. For Price, OneNet was awarded 40 of 40 points, Airlink was awarded 35 of 40 points, and MeetPoint was awarded 30 of 40 points. All in compliance with the bid evaluation rules. For Service History, OneNet was awarded 5 of 20 points because we had no direct service history with them and because of our questions regarding past reports of insufficient/slow customer service. Airlink was also awarded 5 of 20 points again because we had no direct service history with them as well as our questions about whether or not they could provide adequate service especially during online State testing season. MeetPoint was awarded 20 of 20 points due to the fact that we did have a positive service

history with them. Not only from when they were NewNet and before but also because they had been doing business as MeetPoint for a year at this point.

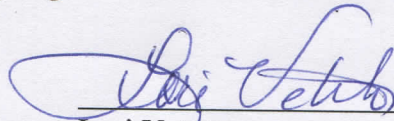
20. OneNet's bid included the following services connection from our location to their hub site, unlimited email services, web hosting, Quality of Service, DNS, unlimited video conferencing, and related technical support. Airlink's bid did not include any additional services. MeetPoint's bid included the following: Internet Maintenance provided by Newnet66, including 24 x 7 internet access troubleshooting and repair, on site visits to restore internet access, unlimited email, 5GB web hosting. These services provided with MeetPoint's contract, have proven in the past to be very valuable to our school.
21. The total points awarded were as follows: OneNet - Price 40 of 40, Service History 4 of 20 for 45 total. Airlink - Price 35 of 40, Service History 5 of 20 for 40 total. MeetPoint - Price 30 of 40, Service History 20 of 20 for 50 total.
22. The winning bidder was notified via a signed copy of the Service Agreement included with their bid package.

USAC REVIEW OF THESE APPLICATIONS

23. Due to the fact that the USAC had approved past application filled out in exactly the same manner, I saw no reason to need to change how the bid evaluation forms were filled out. I received no notice of incorrectness and took their approval of the applications to mean that they were correct and that nothing needed attention.
24. As I understand the standard, we were to make a choice of the most "cost-effective" provider. Accordingly, we evaluated the quality of the services offered and the price of those services for all bids. In our case, the services offered were of great value to our

small school. Knowing first hand that our chosen provider was often aware of issues before we were and would do whatever necessary to start the correction process was deemed highly valuable.

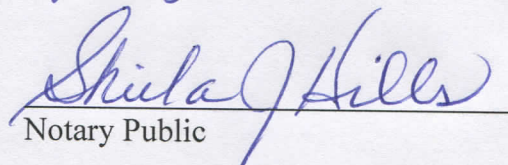
I certify under penalty of perjury that the foregoing is true and correct.



Lori Veteto
23810 West Highway 51
Sand Springs, OK 74063

Subscribed and sworn to before me this 7th day of July, 2016.

[Seal]



Notary Public

Exhibit 1: Request for Proposal



918.445.0048

Request for Proposal

140

Sign up

Sign In

[Home](#)[About Us](#)[Services](#)[e-Rate Info](#)[Testimonials](#)[Contact](#)

RFP Posted
15 October 2012

Keystone School District 15

District Address

23810 West Highway 51, Sand
Springs, OK 74063

RFP ID: 365340001050099



Bid Deadline:

12 November 2012

Questions Due By:

05 November 2012

RFP Requirements

- All Questions and Bids must be submitted using the on-line RFP system. If for some reason the system is down before the respective deadline, please email your bid to info@crwconsulting.com or fax it to 918.445.0049. Bids or questions submitted in this fashion will be disqualified if the on-line system is active at the time of submission.
- Bidder must agree to participate in USF Program (AKA "E-rate") for the corresponding funding year.
- Please include the correct Service Provider Identification Number (SPIN) on your bid.
- By submitting a bid, bidder certifies that the bidder does have a valid (non-red light status) SPIN for the E-rate program at the time of submission. Should the Applicant discover that the bidder is on red light status, or if the FCC classifies the bidder as on red-light status before work is performed and invoices are paid, the contract will be null and void and the applicant will have no payment obligations to the bidder.
- Bidder is expected to provide the lowest corresponding price per E-rate rules. See <http://www.usac.org/sl/service-providers/step02/lowest-corresponding-price.aspx> for details.
- Contracts should be contingent upon E-rate funding unless stated otherwise.
- Bidder must agree to provide the Applicant the choice of discount methods (SPI or BEAR).
- Bidder will be automatically disqualified if the District determines that the bidding company has offered any employee of the District any individual gift of more than \$20 or gifts totaling more than \$50 within a 12 month period.
- Depending on E-rate funding, the district may choose to proceed with all or part of the projects, at the district's discretion.
- Applicant reserves the right to voluntarily renew any contract for up to (5) consecutive one-year terms upon written notice. **We highly suggest your submitted bids and contracts include this statement.**

Services and Equipment Requested

Internet Access - Minimum 6 Mb bandwidth. District considering increasing to 10 Mb, may also consider higher bandwidths. Terminating address 23810 West Highway 51, Sand Springs 74063 (918) 363.

You need to [login](#) / [register](#) to upload bid.



Questions Received with District Answers:

[Submit a Question](#)

No Data

[Home](#) [About Us](#) [Services](#) [e-Rate Info](#) [Testimonials](#) [Contact](#)



Sign up for our newsletter :

Your Email

[Submit](#)

P.O. Box 701713
Tulsa, OK 74170-1713
Voice: (918) 445-0048
Fax: (918) 445-0049

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Exhibit 2: Bids Received

E-Rate Funding Year 2013



**SPIN 143015254
FCC RN 001199307**

**MTM – INTERNET ACCESS
(Month to Month service -- no contract needed)**

Keystone ISD

Proposal Contingent upon E-Rate Funding

<u>Internet Access Service</u>	<u>Monthly\$</u>	<u>Annual\$</u>
10mb	\$2,033.00	\$24,396.00

Establishment Fee \$1,600.00

OneNet Internet services include the connection from your location to our hub site, unlimited email services, web hosting, and related technical support.

Customer will need to provide their own router:

- 10mb will require router with 2 Ethernet Interfaces; one interface for internet connection and one for LAN

Proposed By:

A handwritten signature in black ink, appearing to read "Ami Layman".

Ami Layman

Accounts Receivable Supervisor
OneNet
PO Box 108800
Oklahoma City, OK 73101-8800
(888) 566-3638

Accepted By:

Authorized Signature

Date

If you select OneNet as your provider, please sign and date this with your allowable contract date based on your 470 posting.

Please contact OneNet when you are ready to order services.

RETAIN ORIGINAL FOR YOUR ERATE RECORDS



Meet Point Networks, LLC

Customer Service Proposal

Proposal Date 10-16-2012

Proposal # MPN 1240

SPIN# 143035519

Meet Point Networks Rep: Mike Pennell
Phone Number: 918.633.6896

Meet Point Networks
P.O. Box 339
Bixby, OK 74008
Voice 918.557.0277
www.meetpointnetworks.com

Page one (1) of this document is for Internet access pricing options and is informational only.
Page two (2) through four (4) is the service agreement contract.

Any estimates in this bid based on funding from the Oklahoma Universal Service Fund are subject to application and approval by the Oklahoma Corporation Commission and any difference in actual OUSF funding and the monthly recurring charges shall be the responsibility of the customer.

Customer Information

Customer Name: Keystone School District 15
Street Address: 23810 West Highway 51
City/St/Zip: Sand Springs OK 74063
Federal Tax ID:

Taxes and Fees Not Included

	Service Description	New Qty	Terms (months)	Type	Monthly Recurring Charge	Annual Charge	One Time Activation and Setup
1	6 Mb Internet Access	1	60	New	\$3,194.80	\$38,337.60	\$0.00
2	10 Mb Internet Access	1	60	New	\$5,247.64	\$62,971.68	\$2,340.00
3	20 Mb Internet Access	1	60	New	\$10,732.13	\$128,785.56	\$2,340.00
4							
5							
6							

NewNet 66 Services

~ NewNet 66 Services are included in the pricing above.

~ 24 x 7 Internet Access Troubleshooting & Repair - NewNet 66 will work to restore functional Internet access – this includes working with all of the necessary telecommunication providers and calling in trouble tickets, if necessary.

~ On site visits to restore Internet Access, if necessary.

~ Unlimited Email Accounts supporting POP3, Web Mail, and IMAP. (student accounts available on request)

~ Web Site Hosting Service - 10 Gigabit of space. This service does not include the creation or modification of content.

~ Firewall management to include Juniper Networks and Fortigate firewalls.



Meet Point Networks, LLC

Meet Point Networks Service Agreement

10-16-2012

Fax signed copy to 918.512.4400

or email to

contracts@meetpointnetworks.com

SPIN# 143035519

Customer Name: Keystone School District 15
Street Address: 23810 West Highway 51
City/St/Zip: Sand Springs OK 74063
Federal Tax ID:

Meet Point Networks
P.O. Box 339
Bixby, OK 74008
Voice 918.557.0277

Check the service you want below. Select only one.

	Service Description	New Qty	Unit Price	Terms (months)	Type	Monthly Recurring Charge	Annual Charge	One Time Activation and Installation
1	<input type="checkbox"/> 6 Mb Internet Access	1		60	New	\$3,194.80	\$38,337.60	\$0.00
2	<input type="checkbox"/> 10 Mb Internet Access	1		60	New	\$5,247.64	\$62,971.68	\$2,340.00
3	<input type="checkbox"/> 20 Mb Internet Access	1		60	New	\$10,732.13	\$128,785.56	\$2,340.00
4	<input type="checkbox"/>							
5								
6								

Any estimates in this bid based on funding from the Oklahoma Universal Service Fund are subject to application and approval by the Oklahoma Corporation Commission and any difference in actual OUSF funding and the monthly recurring charges shall be the responsibility of the customer.

E-Rate Customers E-rate customers: The term of this contract is 60 months. During the term of this contract, the applicant may choose any of the above service levels and upgrade to those levels upon written notice to Meet Point Networks. Meet Point Networks will determine the turn up time after the customer contacts us to begin the process.

Customer Authorized Signature

Meet Point Networks Authorized Signature

Mike Pennell

Signature

Mike Pennell

Print

President

Title or Position

10-16-2012

Date

Signature

Print

Title or Position

Date

By signing this Service Agreement, you represent that you are the authorized Customer representative and the above information is true and correct and you accept this Agreement. Both parties agree that each party may use electronic signatures to sign this Service Agreement.

Meet Point Networks may withdraw the proposal at any time prior to Customer signature. If within (30) days after Customer signature, Meet Point Networks determines that customer location is not serviceable under Meet Point Networks normal installation guidelines, Meet Point Networks may withdraw this Service Agreement without liability. Both parties agree that each party may use electronic signatures to sign this Service Agreement.

1. Tariffs/Service Guide If Customer is purchasing any Services that are regulated by the FCC or any state regulatory body ("Regulated Services"), then Customer's use of such Regulated Services is subject to the regulations of the FCC and the regulatory body of the state in which the Customer location receiving these Regulated Services is located (which regulations are subject to change), as well as the rates, terms, and conditions contained in tariffs on file with state and federal regulatory authorities. Termination fees include, but are not limited to, nonrecurring charges, charges paid to third parties on behalf of Customer, and the monthly recurring charges for the balance of the Term.

2. Service Start Date and Term This Agreement shall be effective upon execution by the parties. The "Initial Term" shall begin upon installation of Service and shall continue for the applicable Term commitment set forth on the Cover Page; provided that if Customer delays installation or is not ready to receive Services on the agreed-upon installation date, Meet Point Networks may begin billing for Services on the date Services would have been installed. Meet Point Networks shall use reasonable efforts to make the Services available by the requested service date. Meet Point Networks shall not be liable for damages resulting from delays in meeting service dates due to construction delays or reasons beyond its control. If Customer delays installation for a period of three (3) months or longer after the parties' execution of this Agreement, Meet Point Networks reserves the right to terminate this Agreement immediately at any time thereafter and Customer shall be responsible for the full amount of construction costs and any other related costs incurred by Meet Point Networks as of the date of termination. AFTER THE INITIAL TERM, THIS AGREEMENT SHALL AUTOMATICALLY RENEW FOR ONE (1) YEAR TERMS (EACH AN "EXTENDED TERM") UNLESS A PARTY GIVES THE OTHER PARTY WRITTEN TERMINATION NOTICE AT LEAST THIRTY (30) DAYS PRIOR TO THE EXPIRATION OF THE INITIAL TERM OR THEN CURRENT EXTENDED TERM. "Term" shall mean the Initial Term and Extended Term (s), if any. Meet Point Networks reserves the right to increase rates for all Services by no more than ten percent (10%) during any Extended Term by providing Customer with at least sixty (60) days written notice of such rate increase. For the avoidance of doubt, promotional rates and promotional discounts provided to Customer will expire at the end of the Initial Term or earlier as set forth in the promotion language. Customer's payment for Service after notice of a rate increase will be deemed to be Customer's acceptance of the new rate.

3. Termination Customer may terminate any Service before the end of the Term selected by Customer on the Cover Page; provided, however, if Customer terminates any such Service before the end of the Term (except for breach by Meet Point Networks), unless otherwise expressly stated in the General Terms, Customer will be obligated to pay a termination fee equal to the nonrecurring charges (if unpaid) and 100% of the monthly recurring charges for the terminated Service(s) multiplied by the number of full months remaining in the Term. This provision survives termination of the Agreement. If Meet Point Networks is delivering Services via wireless network facilities and there is signal interference with any such Service(s), Meet Point Networks may terminate this Agreement without liability if Meet Point Networks cannot resolve the interference by using commercially reasonable efforts.

4. Payment Customer shall pay for all monthly Service charges, plus one- time activation and set up, and/or construction charges. Unless stated otherwise herein, monthly charges for Services shall begin upon installation of Service, and installation charges, if any, shall be due upon completion of installation. Any amount not received by the due date shown on the applicable invoice will be subject to interest or a late charge no greater than the maximum rate allowed by law. Customer acknowledges and agrees that if Customer fails to pay any amounts when due and fails to cure such non-payment upon receipt of written notice of non-payment from Meet Point Networks, Customer will be deemed to have terminated this Agreement and will be obligated to pay the termination fee described in Section 5, above. If applicable to the Service, Customer shall pay sales, use, gross receipts, and excise taxes, access fees and all other fees, universal service fund assessments, bypass or other local, state and Federal taxes or charges, and deposits, imposed on the use of the Services. Taxes will be separately stated on Customer's invoice. No interest will be paid on deposits unless required by law.

5. Service and Installation Meet Point Networks shall provide Customer with the Services identified on the Cover Page and may provide related facilities and equipment, the ownership of which shall be retained by Meet Point Networks (the "Meet Point Networks Equipment"), or for certain Services, Customer, may purchase equipment from Meet Point Networks ("Customer Purchased Equipment"). Customer is responsible for damage to any facilities or equipment installed or provided by Meet Point Networks (the "Meet Point Networks Equipment"). Customer may use the Services for any lawful purpose, provided that such purpose (a) does not interfere or impair the Meet Point Networks network or Meet Point Networks Equipment and (b) complies with the AUP. Customer shall use the Meet Point Networks Equipment only for the purpose of receiving the Services. Customer shall use Customer Purchased Equipment in accordance with the terms of the related equipment purchase agreement. Unless provided otherwise herein, Meet Point Networks shall use commercially reasonable efforts to maintain the Services in accordance with applicable performance standards.

Contract is subject to availability of facilities and construction charges.

6. General Terms The General Terms are hereby incorporated into this Agreement by reference. Meet Point Networks, in its sole discretion, may modify, supplement or remove any of the General Terms from time to time, without additional notice to Customer, and any such changes will be effective upon Meet Point Networks publishing such changes on the Meet Point Networks web site. BY EXECUTING THIS AGREEMENT AND/OR USING OR PAYING FOR THE SERVICES, CUSTOMER ACKNOWLEDGES THAT IT HAS READ, UNDERSTOOD, AND AGREED TO BE BOUND BY THE GENERAL TERMS.

7. LIMITATION OF LIABILITY MEET POINT NETWORKS AND/OR ITS AGENTS SHALL NOT BE LIABLE FOR DAMAGES FOR FAILURE TO FURNISH OR INTERRUPTION OF ANY SERVICES, NOR SHALL MEET POINT NETWORKS OR ITS AGENTS BE RESPONSIBLE FOR FAILURE OR ERRORS IN SIGNAL TRANSMISSION, LOST DATA, FILES OR SOFTWARE DAMAGE REGARDLESS OF THE CAUSE. MEET POINT NETWORKS SHALL NOT BE LIABLE FOR DAMAGE TO PROPERTY OR FOR INJURY TO ANY PERSON ARISING FROM THE INSTALLATION OR REMOVAL OF EQUIPMENT UNLESS CAUSED BY THE NEGLIGENCE OF MEET POINT NETWORKS. UNDER NO CIRCUMSTANCES WILL MEET POINT NETWORKS BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS, ARISING FROM THIS AGREEMENT OR ITS PROVISION OF THE SERVICES.

8. WARRANTIES EXCEPT AS PROVIDED HEREIN, THERE ARE NO OTHER AGREEMENTS, WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, RELATING TO THE SERVICES. SERVICES PROVIDED ARE A BEST EFFORTS SERVICE AND MEET POINT NETWORKS DOES NOT WARRANT THAT THE SERVICES, EQUIPMENT OR SOFTWARE SHALL BE ERROR-FREE OR WITHOUT INTERRUPTION. INTERNET SPEEDS WILL VARY. MEET POINT NETWORKS MAKES NO WARRANTY AS TO TRANSMISSION OR UPSTREAM OR DOWNSTREAM SPEEDS OF THE NETWORK.

9. Public Performance. If Customer engages in a public performance of any copyrighted material contained in any of the Services, Customer, and not Meet Point Networks, shall be responsible for obtaining any public performing licenses at Customer's expense.

Exhibit 3: 471 Application

FCC Form 471

Approval by OMB
3060-0806**Schools and Libraries Universal Service
Description of Services Ordered and Certification Form 471****Estimated Average Burden Hours per Response: 4 hours**

This form is designed to help schools and libraries to list the eligible services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services.
Please read instructions before beginning this application. (You can also file online at www.usac.org/sl.)

The instructions include information on the deadlines for filing this application.

Applicant's Form Identifier (Create an identifier for your own reference) Keystone Y16	Form 471 Application #: 909329 (To be assigned by administrator)
Block 1: Billed Entity Address and Identifications	
<div>1 Name of Billed Entity KEYSTONE SCHOOL DISTRICT 15</div> <div>2 Funding Year 2013</div> <div>3a Entity Number 140099</div> <div>3b FCC Registration Number 0012680112</div> <div>4a Street Address, P.O. Box, or Route Number 23810 WEST HIGHWAY 51</div> <div> City SAND SPRINGS State OK Zip Code 74063-</div> <div>4b Telephone Number (918) 363-8298</div> <div>4c Fax Number (918) 363-8194</div> <div>5a Type of Application (check only one) <input type="radio"/> Individual School (individual public or non-public school) <input checked="" type="radio"/> School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools) <input type="radio"/> Library (including library system, library outlet/branch or library consortium as defined under LSTA) <input type="radio"/> Consortium (intermediate service agencies, states, state networks, special consortia of schools and/or libraries) <input type="radio"/> Statewide application for (enter 2-letter state code) representing (check all that apply) <input type="checkbox"/> All public schools/districts in the state <input type="checkbox"/> All non-public schools in the state <input type="checkbox"/> All libraries in the state</div> <div>5b Recipient(s) of Services: <input type="checkbox"/> Private <input checked="" type="checkbox"/> Public <input type="checkbox"/> Charter <input type="checkbox"/> Tribal <input type="checkbox"/> Head Start <input type="checkbox"/> State Agency</div>	
Entity Number: 140099	Applicant's Form Identifier: Keystone Y16
Contact Person: Chris Webber or Karla Hall	Contact Phone Number: (918) 445-0048
Block 1: Billed Entity Address and Identifications (continued)	
<div>6a Contact Person's Name Chris Webber or Karla Hall</div> <div>If the Contact Person's Street Address is the same as Item 4 above, check here. <input type="checkbox"/> If not, complete Item 6b.</div> <div>6b Street Address, P.O. Box, or Route Number NOTE: USAC will use this address to mail correspondence about this form. PO BOX 701713</div> <div> City TULSA State OK Zip Code 74170-1713</div> <div>Check the box next to your preferred mode of contact and provide your contact information. One box MUST be checked and an entry provided.</div> <div><input type="checkbox"/> 6c Telephone Number (918) 445 - 0048 <input type="checkbox"/> 6d Fax Number (918) 445 - 0049 <input checked="" type="checkbox"/> 6e E-Mail Address info@crwconsulting.com Re-enter E-mail Address info@crwconsulting.com</div> <div> 6f Holiday/vacation/summer contact information: please include name of alternate contact (if applicable) and alternate phone, fax or E-mail address</div> <div> If a consultant is assisting you with your application process, please complete Item 6g below:</div> <div>6g Consultant Name Chris Webber Name of Consultant's Employer CRW Consulting Consultant's Street Address P.O. Box 701713</div> <div> City Tulsa State OK Zip Code 74170 Consultant's Telephone Number (918) 445-0048 Ext. Consultant's Fax Number (918) 445-0049 Consultant's E-mail Address info@crwconsulting.com Re-enter E-mail Address info@crwconsulting.com Consultant Registration Number 16024800</div>	

Entity Number: 140099		Applicant's Form Identifier: Keystone Y16	
Contact Person: Chris Webber or Karla Hall		Contact Phone Number: (918) 445-0048	
Complete this information on EVERY Form 471 you file for the services requested on that form. Please complete all rows that apply to services for which you are requesting discounts.			
Schools/school districts complete the left-hand column and libraries complete the right-hand column. Consortia complete all that apply.			
Block 2: Impact of Services Ordered for Schools and Libraries from this Form 471			
		Schools	Libraries
7a Number of students or patrons to be served		339	0
b Telephone service: Number of classrooms or rooms with phone service		1	0
c Direct connections to the Internet: Number of drops		200	0
d Number of classrooms or rooms with Internet access		37	0
e Number of computers or other devices with Internet access		182	0
f Number of dial-up Internet access and other connections of up to 200 kbps :		0	0
g High-speed Internet access services: Number of buildings served at the following speeds (please use advertised download speed coming into building, not actual speed in classroom or work area):	At or greater than 200 kbps and less than 1.5 mbps	0	0
	At or greater than 1.5 mbps and less than 3 mbps	0	0
	At or greater than 3 mbps and less than 10 mbps	1	0
	At or greater than 10 mbps and less than 25 mbps	0	0
	At or greater than 25 mbps and less than 50 mbps	0	0
	At or greater than 50 mbps and less than 100 mbps	0	0
	Greater than 100 mbps	0	0
Block 3:			
8 [Reserved]			

Entity Number: 140099						Applicant's Form Identifier: Keystone Y16								
Contact Person: Chris Webber or Karla Hall						Contact Phone Number: (918) 445-0048								

Block 4: Discount Calculation Worksheet **Worksheet - 1558439**
Page 1 of 1

The Block 4 worksheet is used to calculate your discount for services. You will complete one or more worksheets depending on the type of application you are filing. If you file more than one worksheet, please number the completed worksheets to assure that they are all processed correctly. Please refer to the instructions for information specific to the Type of Application you indicated in Block 1, Item 5.

☐ Check here if this worksheet contains all eligible entities in the school district or library system.

9a List entities and calculate discount(s): (For Administrator's Use)
School District or Library System Name: **School District or Library System Entity Number:**

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Name of Eligible Entity	Entity Number AND NCES Code (for Schools) or FSCS Code (for Libraries)	Urban or Rural U or R	Total Number of Students	Number of Students Eligible for NSLP	Percent of Students Eligible for NSLP (Col. 5 / Col. 4)	Disc. from Disc. Matrix	New Construction	Admin Entity or NIF	Alt Disc Mech	Weighted Product for Calculating Shared Discount (Col. 4 x Col. 7)	Insert appropriate codes(s): P = pre-K, H = Head Start, A = Adult Education, J = Juvenile Justice/E = ESA, D = Dormitory	Entity Number of School District in which Library Outlet/Branch is Located	Discount of Member Entity	Shared Discount
ALL ENTITIES			SCHOOLS AND LIBRARIES							Schools with shared services	Schools	Library Outlet/Branch	Consortia	
BUS BARN	16025205	U	0	0	0.000%	80			N	0				
KEYSTONE ELEMENTARY SCHOOL	84569 40 16470 766	U	339	240	70.796%	80	N	N	N	27120	P			
9b Shared Services														
SCHOOL DISTRICTS: (Including groups of schools within school districts.) Calculate the totals of Columns 4 and 11. Divide the total of Column 11 by the total of Column 4. Enter the result in Column 15.			339							27120				80%
LIBRARY SYSTEMS: Calculate the total of Column 7. Divide this total by the number of outlets/branches. Enter the result in Column 15.														
CONSORTIA: Calculate the total of Column 14. Divide this total by the number of member entities. Enter the result in Column 15.														

Entity Number: 140099		Applicant's Form Identifier: Keystone Y16																															
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21 Description of This Service: NOTE: All Item 21 Attachments must be filed before the close of the filing window. Attachment You MUST attach a description of the service, including a breakdown of components, costs, manufacturer name, make and model number. You must include any additional account or telephone numbers if the billed account has multiple numbers. Label the description with an Attachment Number, and note number in space provided.																																	
22 Entity/Entities Receiving This Service:		a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service: b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., 1): 1558439																															

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Entity Number: 140099	Applicant's Form Identifier: Keystone Y16
Contact Person: Chris Webber or Karla Hall	Contact Phone Number: (918) 445-0048

Block 6: Certifications and Signature

24 ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are: (Check one or both.)

a ☒ schools under the statutory definitions of elementary and secondary schools found in the **No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38)**, that do not operate as for-profit businesses and do not have endowments exceeding \$50 million; and/or

b ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools, including, but not limited to, elementary, secondary schools, colleges, or universities.

25 ☒ I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

a Total funding year pre-discount amount on this Form 471 (Add the entries from Items 23i on all Block 5 Discount Funding Requests.)	85567.32
b Total funding commitment request amount on this Form 471 (Add the entries from Items 23K on all Block 5 Discount Funding Requests.)	68453.86
c Total applicant non-discount share (Subtract Item 25b from Item 25a.)	17113.46
d Total budgeted amount allocated to resources not eligible for E-rate support	48134
e Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 25c and 25d.)	65247.46

f ☐ Check this box if you are receiving any of the funds in Item 25e directly from a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Item 25e.

26 ☐ I certify that, if required by Commission rules, all of the individual schools and libraries receiving services under this form are covered by technology plans that do or will cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body or an SLD-certified technology plan approver prior to the commencement of service.

Or ☒ I certify that no technology plan is required by Commission rules.

27 ☒ I certify that (if applicable) I posted my Form 470 and (if applicable) made any related RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.

28 ☒ I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.

29 ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. §§ 54.500, 54.513. Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

30 ☒ I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts covering all of the services listed on this Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

Entity Number: 140099		Applicant's Form Identifier: Keystone Y16	
Contact Person: Chris Webber or Karla Hall		Contact Phone Number: (918) 445-0048	

Block 6: Certification and Signature (Continued)

31 ☒ I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.

32 ☒ I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.

33 ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

34 ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

35 ☒ I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the eligible and ineligible components as required by the Commission's rules at 47 C.F.R. § 54.504(g)(1), (2).

36 ☒ I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years as required by the Commission's rules at 47 C.F.R. § 54.506(c).

37 ☒ I certify that the non-discount portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

38	Signature of authorized person <input type="checkbox"/>	39	Date
----	---	----	------

40 Printed name of authorized person Chris Webber

41 Title or position of authorized person Consultant

☐ Check here if the consultant in Item 6g is the Authorized Person.

42a Street Address, P.O. Box, or Route Number
PO BOX 701713

City TULSA
State OK Zip Code 74170-1713

Entity Number: 140099		Applicant's Form Identifier: Keystone Y16	
Contact Person: Chris Webber or Karla Hall		Contact Phone Number: (918) 445-0048	
42b	Telephone Number of authorized Person	(918) 445-0048	Ext.
42c	Fax Number of Authorized Person	(918) 445-0049	
42d	E-mail Address of authorized Person	info@crwconsulting.com	
	Re-enter E-mail Address	info@crwconsulting.com	
42e	Name of Authorized Person's Employer	CRW Consulting	

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504(c). The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:
SLD-Form 471
P.O. Box 7026
Lawrence, Kansas 66044-7026

For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:
SLD Forms
ATTN: SLD Form 471
3833 Greenway Drive
Lawrence, Kansas 66046
(888) 203-8100

FCC Form 471 - October 2010

Close Print Preview

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Exhibit 4: Notification of Commitment Adjustment Letter



Notification of Commitment Adjustment Letter

Funding Year 2013: July 1, 2013 - June 30, 2014

May 20, 2016

Chris Webber or Karla Hall
KEYSTONE SCHOOL DISTRICT 15
PO BOX 701713
TULSA, OK 74170 1713

Re: Form 471 Application Number:	909329
Funding Year:	2013
Applicant's Form Identifier:	Keystone Y16
Billed Entity Number:	140099
FCC Registration Number:	0012680112
SPIN:	143035519
Service Provider Name:	Meet Point Networks LLC
Service Provider Contact Person:	Beverley Fielding

Our routine review of Schools and Libraries Program (SLP) funding commitments has revealed certain applications where funds were committed in violation of SLP rules.

In order to be sure that no funds are used in violation of SLP rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see <https://www.fcc.gov/encyclopedia/red-light-frequently-asked-questions>.

TO APPEAL THIS DECISION:

If you wish to appeal the Commitment Adjustment Decision indicated in this letter to USAC, your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Number(s) (FRNs) you are appealing. Your letter of appeal must include the
 - Billed Entity Name,
 - Form 471 Application Number,
 - Billed Entity Number, and
 - FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow USAC to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Program - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, see "Appeals" in the "Schools and Libraries" section of the USAC website.

FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. See the "Guide to USAC Letters" posted at <http://www.usac.org/sl/tools/samples.aspx> for more information on each of the fields in the Report. USAC is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on the FRN(s), a separate letter will be sent to the service provider detailing the necessary service provider action.

Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with SLP rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Program
Universal Services Administrative Company

cc: Beverley Fielding
Meet Point Networks LLC

**Funding Commitment Adjustment Report for
Form 471 Application Number: 909329**

Funding Request Number:	2476023
Services Ordered:	INTERNET ACCESS
SPIN:	143035519
Service Provider Name:	Meet Point Networks LLC
Contract Number:	N/A
Billing Account Number:	
Site Identifier:	140099
Original Funding Commitment:	\$30,670.08
Commitment Adjustment Amount:	\$30,670.08
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$30,670.08
Funds to be Recovered from Applicant:	\$30,670.08
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. Based on the documentation you provided during the Special Compliance Review, FRN 2476023 will be denied because you did not select the most cost-effective bid proposal. FCC rules state that in selecting a provider of eligible services, applicants must carefully consider all bids submitted and must select the most cost-effective service offering. In determining which service offering is the most cost-effective, entities may consider relevant factors other than the pre-discount prices submitted by providers, but price should be the primary factor considered. The FCC further codified in the Ysleta Order that in evaluating bids from prospective service providers, applicants must select the most cost-effective offering from the bids received. The selected bid must itself be cost-effective compared to prices available commercially and stated that there may be situations where the price of services is so exorbitant that it cannot, on its face, be cost-effective. For instance, a proposal to sell at prices two to three times greater than the prices available from commercial vendors would not be cost-effective, absent extenuating circumstances. You posted requests for ?minimum 6 MBPS increasing to 10 MBPS, may consider higher bandwidths on FCC Form 470# 365340001050099 and the associated RFP. You received a bid from One Net offering these specific services at an amount of \$2,003 for 10 MBPS and a bid from Meetpoint for \$3,194 monthly 6 MBPS and \$5,247.64 for 10 MBPS. All bids are for the specific services requested on the Form 470. You selected a bid from Meetpoint for an amount of \$3,194.80. The bid chosen is more costly than the bid offering from One Net. One Net offered a higher speed at a cheaper rate. This violates the FCC requirement that applicants select the most cost-effective offering from the bids received absent extenuating circumstances. During the review you did not present extenuating circumstances which mitigates your choice of a bid over two to three times greater than the price available from another commercial vendor. Therefore, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

Exhibit 5: Invitation for Competitive Bid (AKA: RFP)



918.445.0048

Invitation for Competitive Bids

42

Sign up

Vendor Login

Client Login

Home

About Us

Services

e-Rate Info

Testimonials

Contact

IFCB Posted

04 November 2013

Keystone School District 15

District Address

23810 West Highway 51

Sand Springs, OK 74063

IFCB ID: 401850001160166**IFCB Deadline:**

02 December 2013

Questions Due By:

25 November 2013

IFCB Requirements

- All Questions and Bids must be submitted using the on-line IFCB system. If for some reason the system is down before the respective deadline, please email your bid to info@crwconsulting.com or fax it to 918.445.0049. Bids or questions submitted in this fashion will be disqualified if the on-line system is active at the time of submission.
- Bidder must agree to participate in USF Program (AKA "E-rate") for the corresponding funding year.
- Please include the correct Service Provider Identification Number (SPIN) on your bid.
- By submitting a bid, bidder certifies that the bidder does have a valid (non-red light status) SPIN for the E-rate program at the time of submission. Should the Applicant discover that the bidder is on red light status, or if the FCC classifies the bidder as on red-light status before work is performed and invoices are paid, the contract will be null and void and the applicant will have no payment obligations to the bidder.
- Bidder is expected to provide the lowest corresponding price per E-rate rules. See <http://www.usac.org/sl/service-providers/step02/lowest-corresponding-price.aspx> for details.
- Contracts should be contingent upon E-rate funding unless stated otherwise.
- Bidder must agree to provide the Applicant the choice of discount methods (SPI or BEAR).
- Bidder will be automatically disqualified if the District determines that the bidding company has offered any employee of the District any individual gift of more than \$20 or gifts totaling more than \$50 within a 12 month period.
- Depending on E-rate funding, the district may choose to proceed with all or part of the projects, at the district's discretion.
- All contracts awarded under this RFP bidding process may be voluntarily renewed by the applicant, upon written notice to the provider, for five consecutive one year terms.
- Maintenance bids listing only an hourly rate will be disqualified. Vendors quoting an hourly rate are required to also a) confirm that you have the ability/expertise to maintain all of the equipment listed and b) propose a number of hours at a particular rate monthly to properly maintain the entire list of equipment. Bids that only contain hourly rates, without confirmation that the company can service the list of equipment, or without a monthly total, will be disqualified.

Services and Equipment Requested

Local and long distance service - Approx. 18 lines

Cellular phone service including data plans/internet access - Approx 2 lines

Data plans for tablet devices - Approx 2

Internet Access - Minimum 6 Mb bandwidth. District considering up to 20 Mb. Please include scalable quotes/contracts up to 100 Mb bandwidth. Terminating address 23810 West Highway 51, Sand Springs 74063 (918) 363.

BASIC MAINTENANCE OF INTERNAL CONNECTIONS: MAINTENANCE BIDS LISTING ONLY AN HOURLY RATE AND NOT A MONTHLY OR ANNUAL TOTAL WILL BE DISQUALIFIED. VENDORS QUOTING AN HOURLY RATE ARE REQUIRED TO ALSO A) CONFIRM THAT YOU HAVE THE ABILITY/EXPERTISE TO MAINTAIN ALL OF THE EQUIPMENT LISTED AND B) PROPOSE A NUMBER OF HOURS AT A PARTICULAR RATE MONTHLY TO PROPERLY MAINTAIN THE ENTIRE LIST OF EQUIPMENT. BIDS THAT CONTAIN ONLY HOURLY RATES, WITHOUT CONFIRMATION THAT THE COMPANY CAN SERVICE THE LIST OF EQUIPMENT, OR WITHOUT A MONTHLY TOTAL, WILL BE DISQUALIFIED.

Juniper EX2200 - 24P
Palo Alto PA-500

[Upload Bid](#)



Questions Received with District Answers:

[Submit a Question](#)

No Data

[Home](#) [About Us](#) [Services](#) [e-Rate Info](#) [Testimonials](#) [Contact](#)



Sign up for our newsletter:

Your Email

[Submit](#)

P.O. Box 701713
Tulsa, OK 74170-1713
Voice: (918) 445-0048
Fax: (918) 445-0049

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Exhibit 6: Bids Received

PROPOSAL FOR INTERNET ACCESS

For Keystone School District

Keystone School District BEN:	140099
Form 470 Application Number:	401850001160166
Applicant's Form Identifier:	Keystone Y17
AirLink Internet Services SPIN:	143037273



Prepared by:
Michael Whelan
AirLink Internet Services
3544 Adams Rd.
Mounds, OK 74047
mike.whelan@airlinkinternet.net
Cell: 918-691-1252
Office: 918-853-5994
<http://airlinkinternet.net>

December 1, 2013

Mr. Chris Webber
CRW Consulting
PO Box 701713
Tulsa, OK 74170

Dear Mr. Webber,

AirLink Internet Services is pleased to submit this proposal to supply Keystone School District 15 high-speed internet access.

Please don't hesitate to contact me with any questions or concerns regarding this proposal. On behalf of AirLink Internet Services, thank you for your time and consideration.

Best regards,

Michael Whelan
President
AirLink Internet Services
918-691-1252
mike.whelan@airlinkinternet.net

Executive Summary

AirLink would like the opportunity to help improve network performance while delivering high-speed internet to the Keystone School District. This proposal includes network hardware that will enable the Technology Director to efficiently manage network bandwidth school wide.

Specific Objectives

- To install and service a wireless, high-speed link capable of delivering 20Mb to 100Mb to the Keystone School District.
- To provide the students of the Keystone School District access to interactive digital content delivered through high-speed broadband. This means third-graders can explore the surface of the sun through high-definition video as they learn about the solar system. It means middle schoolers can experience history lessons through interactive videos. It means high schoolers can explore geometry through gaming.
- To provide the Keystone School District staff and teachers direct access to online communities such as Middle Web, the Teacher Leaders Network and the Teachers Network bring novice and expert educators together in a Web-based professional community.

Qualifications

AirLink's primary goal is to deliver high-speed internet services to schools, businesses and residential locations across Eastern Oklahoma. We're continuously inventing the solutions that drive **next-generation wireless networks** by following a rigorous development process including multiple cycles of design, engineering and testing. These proven capabilities allow AirLink to supply video, voice, and data solutions over a state of the art infrastructure. Some of our qualifications include:

- Our network engineers are known for their in-depth knowledge built over decades of experience. Together with continuous education and innovation, this forms the basis of AirLink's technological leadership.
- The AirLink wireless network covers more than 900 square miles in Eastern Oklahoma and achieves a 99.9% uptime year after year.
- AirLink is a locally owned business headquartered in Mounds, Oklahoma.

Project Scope

1. **Network Hardware** – AirLink will provide, at no cost to the school, a new Mikrotik RB493AH network router capable of routing at 100Mbps. Each of these routers have Traffic Control, Dynamic Routing and Firewalls and will be completely configured and installed by AirLink.
2. **Dedicated Wireless Link** – AirLink will install, at no cost to the school, a dedicated wireless link that will provide 20Mb and up to 100 Mb of bandwidth. The receiving side of the link will be installed at the Keystone School District.
3. **Configuration** – AirLink will install and configure all of the necessary hardware and provide training for school staff on how to manage the new equipment at no cost to the school.

Pricing

The following table details the pricing for delivery of the services outlined in this proposal. This pricing is valid for 120 days from the date of this proposal:

Hardware	Total
Install a new Mikrotik RB493AH router – included with service	0.00
Install high-speed wireless link for 20Mb service – included with service	0.00
Configure network as required – included with service	0.00
Internet Services Costs	
Dedicated Internet Access – 20Mb	\$21,600.00
Dedicated Internet Access – 50Mb	\$44,800.00
Dedicated Internet Access – 100Mb	\$68,900.00
Training – Up to 4 hours – no charge	0.00

To pass on future cost savings to the school, AirLink would consider entering into a multi-year contract or a contract with voluntary extensions with the Keystone School District for delivery of high speed internet. Either option could result in reduced service costs to the District due to zero construction costs and zero hardware costs in the following years of service.

Conclusion

The AirLink wireless network will deliver unparalleled, high-performance internet access for the Keystone School District. From our server room to your classrooms, our proven wireless network will keep your students engaged, provide new tools for your teachers and provide the entire district access to 21st century, interactive digital content.

AirLink's commitment to you as its customer has many benefits. Our commitment means the ability to provide long-term support through the life of your installation. Our commitment means solutions and service that meet the needs of every student and teacher. And it means our personal devotion to improving our communities and classrooms. We trust this has been responsive to the request for proposal and look forward to partnering with you in that regard in the very near future.



Mike Whelan, President
AirLink Internet Services



Meet Point Networks, LLC

P.O. Box 339
Bixby, OK 74008
www.meetpointnetworks.com

11/19/2013

Keystone
23810 West Highway 51
Sand Springs, OK 74063

To whom it may concern,

In the following pages you will find a proposal for services prepared by Meet Point Networks, LLC for Keystone. The proposal is in response to the district's posted ERate form 470. The proposal is for a Internet Access circuit.

Page 1 : Proposal of Services
Pages 2 - 4 : Pre-signed Service Agreement

We hope that you will take the time to consider our proposal. If the district finds the quote acceptable please sign and return (fax or email).

Please do not hesitate to contact us with any and all questions.

Mike Pennell
President
mpennell@meetpointnetworks.com
Phone : 918-633-6896
Fax : 918-512-4400



Meet Point Networks, LLC
P.O. Box 339
Bixby, OK 74008

Voice 918-633-6896 - Fax 918-512-4400 - Web www.meetpointnetworks.com

SPIN# 143035519

Customer Service Proposal

Proposal Date : November 14, 2013

Proposal # 79

Customer Information

Keystone

23810 West Highway 51
Sand Springs OK 74063

Meet Point Networks Rep
Bryan McGuire (918)231-8063

Summary of Proposed Services : 20 Mb Internet Access Circuit - Including Internet maintenance provided by NewNet 66.

***Any estimates, in this proposal, based on funding from the Oklahoma Universal Service Fund are subject to application and approval by the Oklahoma Corporation Commission and any difference in actual OUSF funding and the monthly recurring charges shall be the responsibility of the customer.*

Proposed Services and Terms

****Taxes and Fees not Included**

	Service Description		Type	Qty	Term	Monthly	Annual	One Time
1	100 Mb	Internet Bandwidth	New	1	60	\$5,717.50	\$68,610.00	\$1,313.00
2	20 Mb	Internet Bandwidth	New	1	60	\$3,347.50	\$40,170.00	\$1,313.00
3	30 Mb	Internet Bandwidth	New	1	60	\$4,077.50	\$48,930.00	\$1,313.00
4	50 Mb	Internet Bandwidth	New	1	60	\$4,477.50	\$53,730.00	\$1,313.00
5	70 Mb	Internet Bandwidth	New	1	60	\$5,547.50	\$66,570.00	\$1,313.00

Internet Maintenance is provided by NewNet 66 and is included in the pricing above.

Internet Maintenance includes:

24 x 7 Internet Access Troubleshooting & Repair

On site visits to restore Internet Access, if necessary

Unlimited Email / 5Gb Web Hosting

For more information please visit NewNet 66's description of services overview at www.newnet66.org



Meet Point Networks, LLC

P.O. Box 339

Bixby, OK 74008

Voice 918-633-6896 - Fax 918-512-4400 - Web www.meetpointnetworks.com

Meet Point Networks Service Agreement

10/7/2013

SPIN# 143035519

Keystone

23810 West Highway 51
Sand Springs OK 74063

Proposed Services : Please select desired service by checking a box below.

Service Description	Type	Qty	Term	Monthly	Annual	One Time
<input type="checkbox"/> 20 Mb Internet Bandwidth	New	1	60	\$3,347.50	\$40,170.00	\$1,313.00
<input type="checkbox"/> 50 Mb Internet Bandwidth	New	1	60	\$4,477.50	\$53,730.00	\$1,313.00
<input type="checkbox"/> 100 Mb Internet Bandwidth	New	1	60	\$5,717.50	\$68,610.00	\$1,313.00
<input type="checkbox"/> 30 Mb Internet Bandwidth	New	1	60	\$4,077.50	\$48,930.00	\$1,313.00
<input type="checkbox"/> 70 Mb Internet Bandwidth	New	1	60	\$5,547.50	\$66,570.00	\$1,313.00
<input type="checkbox"/>						

By signing this Service Agreement, you represent that you are the authorized Customer representative and the above information is true and correct and you accept this Agreement. Both parties agree that each party may use electronic signatures to sign this Service Agreement.

Meet Point Networks may withdraw the proposal at any time prior to Customer signature. If within (30) days after Customer signature, Meet Point Networks determines that customer location is not serviceable under Meet Point Networks normal installation guidelines, Meet Point Networks may withdraw this Service Agreement without liability.

Customer Authorized Signature

Signature

Print

Title or Position

Date

Meet Point Networks Authorized Signature

Mike Pennell

Signature

Mike Pennell

Print

President

Title or Position

11/19/2013

Date



Meet Point Networks, LLC
P.O. Box 339
Bixby, OK 74008

Voice 918-633-6896 - Fax 918-512-4400 - Web www.meetpointnetworks.com

Terms and Conditions

OUSF - Any estimates in this bid based on funding from the Oklahoma Universal Service Fund are subject to application and approval by the Oklahoma Corporation Commission and any difference in actual OUSF funding and the monthly recurring charges shall be the responsibility of the customer.

E-Rate Customers - During the term of this contract, the applicant may choose any of the above service levels and upgrade to those levels upon written notice to Meet Point Networks. Meet Point Networks will determine the turn up time after the customer initiates the process.

The pricing is based upon a 60 month term. This contract represents a 12 month term with the option to renew four consecutive 12 month terms.

1. Tariffs/Service Guide If Customer is purchasing any Services that are regulated by the FCC or any state regulatory body ("Regulated Services"), then Customer's use of such Regulated Services is subject to the regulations of the FCC and the regulatory body of the state in which the Customer location receiving these Regulated Services is located (which regulations are subject to change), as well as the rates, terms, and conditions contained in tariffs on file with state and federal regulatory authorities. Termination fees include, but are not limited to, nonrecurring charges, charges paid to third parties on behalf of Customer, and the monthly recurring charges for the balance of the Term.

2. Service Start Date and Term This Agreement shall be effective upon execution by the parties. The "Initial Term" shall begin upon installation of Service and shall continue for the applicable Term commitment set forth on the Cover Page; provided that if Customer delays installation or is not ready to receive Services on the agreed-upon installation date, Meet Point Networks may begin billing for Services on the date Services would have been installed. Meet Point Networks shall use reasonable efforts to make the Services available by the requested service date. Meet Point Networks shall not be liable for damages resulting from delays in meeting service dates due to construction delays or reasons beyond its control. If Customer delays installation for a period of three (3) months or longer after the parties' execution of this Agreement, Meet Point Networks reserves the right to terminate this Agreement immediately at any time thereafter and Customer shall be responsible for the full amount of construction costs and any other related costs incurred by Meet Point Networks as of the date of termination. AFTER THE INITIAL TERM, THIS AGREEMENT SHALL AUTOMATICALLY RENEW FOR ONE (1) YEAR TERMS (EACH AN "EXTENDED TERM") UNLESS A PARTY GIVES THE OTHER PARTY WRITTEN TERMINATION NOTICE AT LEAST THIRTY (30) DAYS PRIOR TO THE EXPIRATION OF THE INITIAL TERM OR THEN CURRENT EXTENDED TERM. "Term" shall mean the Initial Term and Extended Term (s), if any. Meet Point Networks reserves the right to increase rates for all Services by no more than ten percent (10%) during any Extended Term by providing Customer with at least sixty (60) days written notice of such rate increase. For the avoidance of doubt, promotional rates and promotional discounts provided to Customer will expire at the end of the Initial Term or earlier as set forth in the promotion language. Customer's payment for Service after notice of a rate increase will be deemed to be Customer's acceptance of the new rate.

3. Termination Customer may terminate any Service before the end of the Term selected by Customer on the Cover Page; provided, however, if Customer terminates any such Service before the end of the Term (except for breach by Meet Point Networks), unless otherwise expressly stated in the General Terms, Customer will be obligated to pay a termination fee equal to the nonrecurring charges (if unpaid) and 100% of the monthly recurring charges for the terminated Service(s) multiplied by the number of full months remaining in the Term. This provision survives termination of the Agreement. If Meet Point Networks is delivering Services via wireless network facilities and there is signal interference with any such Service(s), Meet Point Networks may terminate this Agreement without liability if Meet Point Networks cannot resolve the interference by using commercially reasonable efforts.

4. Payment Customer shall pay for all monthly Service charges, plus one- time activation and set up, and/or construction charges. Unless stated otherwise herein, monthly charges for Services shall begin upon installation of Service, and installation charges, if any, shall be due upon completion of installation. Any amount not received by the due date shown on the applicable invoice will be subject to interest or a late charge no greater than the maximum rate allowed by law. Customer acknowledges and agrees that if Customer fails to pay any amounts when due and fails to cure



Meet Point Networks, LLC

P.O. Box 339

Bixby, OK 74008

Voice 918-633-6896 - Fax 918-512-4400 - Web www.meetpointnetworks.com

such non-payment upon receipt of written notice of non-payment from Meet Point Networks, Customer will be deemed to have terminated this Agreement and will be obligated to pay the termination fee described in Section 5, above. If applicable to the Service, Customer shall pay sales, use, gross receipts, and excise taxes, access fees and all other fees, universal service fund assessments, bypass or other local, state and Federal taxes or charges, and deposits, imposed on the use of the Services. Taxes will be separately stated on Customer's invoice. No interest will be paid on deposits unless required by law.

5. Service and Installation Meet Point Networks shall provide Customer with the Services identified on the Cover Page and may provide related facilities and equipment, the ownership of which shall be retained by Meet Point Networks (the "Meet Point Networks Equipment"), or for certain Services, Customer, may purchase equipment from Meet Point Networks ("Customer Purchased Equipment"). Customer is responsible for damage to any facilities or equipment installed or provided by Meet Point Networks (the "Meet Point Networks Equipment"). Customer may use the Services for any lawful purpose, provided that such purpose (a) does not interfere or impair the Meet Point Networks network or Meet Point Networks Equipment and (b) complies with the AUP. Customer shall use the Meet Point Networks Equipment only for the purpose of receiving the Services. Customer shall use Customer Purchased Equipment in accordance with the terms of the related equipment purchase agreement. Unless provided otherwise herein, Meet Point Networks shall use commercially reasonable efforts to maintain the Services in accordance with applicable performance standards.

Contract is subject to availability of facilities and construction charges.

6. General Terms The General Terms are hereby incorporated into this Agreement by reference. Meet Point Networks, in its sole discretion, may modify, supplement or remove any of the General Terms from time to time, without additional notice to Customer, and any such changes will be effective upon Meet Point Networks publishing such changes on the Meet Point Networks web site. BY EXECUTING THIS AGREEMENT AND/OR USING OR PAYING FOR THE SERVICES, CUSTOMER ACKNOWLEDGES THAT IT HAS READ, UNDERSTOOD, AND AGREED TO BE BOUND BY THE GENERAL TERMS.

7. LIMITATION OF LIABILITY MEET POINT NETWORKS AND/OR ITS AGENTS SHALL NOT BE LIABLE FOR DAMAGES FOR FAILURE TO FURNISH OR INTERRUPTION OF ANY SERVICES, NOR SHALL MEET POINT NETWORKS OR ITS AGENTS BE RESPONSIBLE FOR FAILURE OR ERRORS IN SIGNAL TRANSMISSION, LOST DATA, FILES OR SOFTWARE DAMAGE REGARDLESS OF THE CAUSE. MEET POINT NETWORKS SHALL NOT BE LIABLE FOR DAMAGE TO PROPERTY OR FOR INJURY TO ANY PERSON ARISING FROM THE INSTALLATION OR REMOVAL OF EQUIPMENT UNLESS CAUSED BY THE NEGLIGENCE OF MEET POINT NETWORKS. UNDER NO CIRCUMSTANCES WILL MEET POINT NETWORKS BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS, ARISING FROM THIS AGREEMENT OR ITS PROVISION OF THE SERVICES.

8. WARRANTIES EXCEPT AS PROVIDED HEREIN, THERE ARE NO OTHER AGREEMENTS, WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, RELATING TO THE SERVICES. SERVICES PROVIDED ARE A BEST EFFORTS SERVICE AND MEET POINT NETWORKS DOES NOT WARRANT THAT THE SERVICES, EQUIPMENT OR SOFTWARE SHALL BE ERROR-FREE OR WITHOUT INTERRUPTION. INTERNET SPEEDS WILL VARY. MEET POINT NETWORKS MAKES NO WARRANTY AS TO TRANSMISSION OR UPSTREAM OR DOWNSTREAM SPEEDS OF THE NETWORK.

9. Public Performance. If Customer engages in a public performance of any copyrighted material contained in any of the Services, Customer, and not Meet Point Networks, shall be responsible for obtaining any public performing licenses at Customer's expense.

E-Rate Funding Year 2014



SPIN 143015254
FCC RN 001199307
MTM – INTERNET ACCESS
(Month to Month service -- no contract needed)

KEYSTONE PS

Proposal Contingent upon E-Rate Funding

Internet Access Service	Monthly\$	Annual\$
20mb	\$1,102	\$13,224
30mb	\$1,153	\$13,836
50mb	\$1,255	\$15,060

Last mile is wireless (wireless from school to OneNet Hub).
May have comparable fiber pricing available after December 10, 2013.

OneNet Internet service provides the connection from your location to our hub site. As part of our standard package OneNet Internet service customers receive: unlimited email services, web hosting, Quality of Service, DNS, unlimited video conferencing and related technical support. *There is no reduction in cost if customer does not utilize any component of the standard package.*

Customer Provided Router

- 20-50mb will require router with 2 Fast Ethernet Interfaces; one interface for internet connection and one for LAN

Options

- OneNet Provided Router (ERate Priority One On-Premise Equipment)

\$89 per month for Juniper SRX220. The router shall remain the property of OneNet, therefore OneNet reserves the right to use for other customers. Maintenance of router will be OneNet's responsibility. Customer's local network will not be dependent on the OneNet provided router. (Not Oklahoma Universal Service Fund eligible, customer will pay their percentage after ERate discount.)

- Content Filtering pricing is available upon request. (Not ERate eligible service)

Proposed By:

A handwritten signature in black ink, appearing to read "Ami Layman".

Ami Layman

Assistant Director of Administration
OneNet
PO Box 108800
Oklahoma City, OK 73101-8800
(888) 566-3638

Accepted By:

Authorized Signature

Date

**If you select OneNet as your provider, please sign and date this with your allowable contract date based on your 470 posting. THIS IS FOR YOUR ERATE RECORDS and Item 21 Attachment.
Please contact OneNet when you are ready to order services.**

Exhibit 7: 471 Application

FCC Form 471

Approval by OMB
3060-0806**Schools and Libraries Universal Service
Description of Services Ordered and Certification Form 471****Estimated Average Burden Hours per Response: 4 hours**

This form is designed to help schools and libraries to list the eligible services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services.

Please read instructions before beginning this application. (You can also file online at www.usac.org/sl.)

The instructions include information on the deadlines for filing this application.

Applicant's Form Identifier (Create an identifier for your own reference) Keystone Y17	Form 471 Application #: 964484 (To be assigned by administrator)
Block 1: Billed Entity Address and Identifications	
<p>1 Name of Billed Entity KEYSTONE SCHOOL DISTRICT 15</p> <p>2 Funding Year 2014</p> <p>3a Entity Number 140099</p> <p>3b FCC Registration Number 0012680112</p> <p>4a Street Address, P.O. Box, or Route Number 23810 WEST HIGHWAY 51</p> <p>City SAND SPRINGS State OK Zip Code 74063-</p> <p>4b Telephone Number (918) 363-8298</p> <p>4c Fax Number (918) 363-8194</p> <p>5a Type of Application (check only one)</p> <p><input type="radio"/> Individual School (individual public or non-public school)</p> <p><input checked="" type="radio"/> School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools)</p> <p><input type="radio"/> Library (including library system, library outlet/branch or library consortium as defined under LSTA)</p> <p><input type="radio"/> Consortium (intermediate service agencies, states, state networks, special consortia of schools and/or libraries)</p> <p><input type="radio"/> Statewide application for (enter 2-letter state code) representing (check all that apply)</p> <p><input type="checkbox"/> All public schools/districts in the state</p> <p><input type="checkbox"/> All non-public schools in the state</p> <p><input type="checkbox"/> All libraries in the state</p> <p>5b Recipient(s) of Services:</p> <p><input type="checkbox"/> Private <input checked="" type="checkbox"/> Public <input type="checkbox"/> Charter</p> <p><input type="checkbox"/> Tribal <input type="checkbox"/> Head Start <input type="checkbox"/> State Agency</p>	
Entity Number: 140099	Applicant's Form Identifier: Keystone Y17
Contact Person: Karla Hall or Chris Webber	Contact Phone Number: (918) 445-0048
Block 1: Billed Entity Address and Identifications (continued)	
<p>6a Contact Person's Name Karla Hall or Chris Webber</p> <p>If the Contact Person's Street Address is the same as Item 4 above, check here. <input type="checkbox"/> If not, complete Item 6b.</p> <p>6b Street Address, P.O. Box, or Route Number NOTE: USAC will use this address to mail correspondence about this form. PO Box 701713</p> <p>City Tulsa State OK Zip Code 74170-1713</p> <p>Check the box next to your preferred mode of contact and provide your contact information. One box MUST be checked and an entry provided.</p> <p><input type="checkbox"/> 6c Telephone Number (918) 445 - 0048</p> <p><input type="checkbox"/> 6d Fax Number (918) 445 - 0049</p> <p><input checked="" type="checkbox"/> 6e E-Mail Address INFO@CRWCONSULTING.COM Re-enter E-mail Address INFO@CRWCONSULTING.COM</p> <p>6f Holiday/vacation/summer contact information: please include name of alternate contact (if applicable) and alternate phone, fax or E-mail address</p> <p>If a consultant is assisting you with your application process, please complete Item 6g below:</p> <p>6g Consultant Name Karla Hall Name of Consultant's Employer CRW Consulting Consultant's Street Address CRW Consulting PO Box 701713 City Tulsa State OK Zip Code 74170 Consultant's Telephone Number (918) 445-0048 Ext. Consultant's Fax Number (918) 445-0049 Consultant's E-mail Address info@crwconsulting.com Re-enter E-mail Address info@crwconsulting.com Consultant Registration Number 16024800</p>	
Blocks 2 and 3 [Reserved]	

Entity Number: 140099						Applicant's Form Identifier: Keystone Y17								
Contact Person: Karla Hall or Chris Webber						Contact Phone Number: (918) 445-0048								
Block 4: Discount Calculation Worksheet												Worksheet - 1665515		
Page 1 of 1														
<p>The Block 4 worksheet is used to calculate your discount for services. You will complete one or more worksheets depending on the type of application you are filing. If you file more than one worksheet, please number the completed worksheets to assure that they are all processed correctly. Please refer to the instructions for information specific to the Type of Application you indicated in Block 1, Item 5.</p> <p><input type="checkbox"/> Check here if this worksheet contains all eligible entities in the school district or library system.</p>														
9a List entities and calculate discount(s):												(For Administrator's Use)		
School District or Library System Name:												School District or Library System Entity Number:		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Name of Eligible Entity	Entity Number AND NCES Code (for Schools) or FSCS Code (for Libraries)	Urban or Rural U or R	Total Number of Students	Number of Students Eligible for NSLP	Percent of Students Eligible for NSLP (Col. 5 / Col. 4)	Disc. from Disc. Matrix	New Construction	Admin Entity or NIF	Alt Disc Mech	Weighted Product for Calculating Shared Discount (Col. 4 x Col. 7)	Insert appropriate codes(s): P= pre-K, H = Head Start, A = Adult Education, J = Juvenile Justice Center, E = ESA, D = Dormitory	Entity Number of School District in which Library Outlet/Branch is Located	Discount of Member Entity	Shared Discount
ALL ENTITIES			SCHOOLS AND LIBRARIES							Schools with shared services	Schools	Library Outlet/Branch	Consortia	
BUS BARN	16025205	U	0	0	0.000%	80			N	0				
KEYSTONE ELEMENTARY SCHOOL	84569 40 16470 766	U	311	234	75.241%	90	N	N	N	27990	P			
9b Shared Services														
SCHOOL DISTRICTS: (Including groups of schools within school districts.) Calculate the totals of Columns 4 and 11. Divide the total of Column 11 by the total of Column 4. Enter the result in Column 15.			311							27990				90%
LIBRARY SYSTEMS: Calculate the total of Column 7. Divide this total by the number of outlets/branches. Enter the result in Column 15.														
CONSORTIA: Calculate the total of Column 14. Divide this total by the number of member entities. Enter the result in Column 15.														

Entity Number: 140099		Applicant's Form Identifier: Keystone Y17																
Contact Person: Karla Hall or Chris Webber		Contact Phone Number: (918) 445-0048																
Block 5: Discount Funding Request(s) Instructions: Use one Block 5 page for EACH service (Funding Request Number) for which you are requesting discounts. Make as many copies of this page as needed, and number the completed pages to assure that they are all processed correctly.		Block 5, page 1 of 3 FRN 2621116 (to be assigned by administrator)																
10 <input type="checkbox"/> If this is a duplicate Funding Request (e.g., of an FRN that is not yet approved, under appeal, etc.), check this box and enter the original FRN in the space provided:																		
11 Category of Service (only ONE category should be checked)		23 Calculations																
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13 SPIN – Service Provider Identification Number 143035519																		
14 Service Provider Name Meet Point Networks LLC																		
15a <input type="checkbox"/> Check this box if this Funding Request is for non-contracted tariffed or month-to-month services.		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td rowspan="3" style="width: 10%; text-align: center; vertical-align: middle;">Total Charges</td> <td style="width: 10%;">J. Discount from Block 4 Worksheet</td> <td style="width: 80%;">90.00</td> </tr> <tr> <td>K. Funding Commitment Request (I x J)</td> <td>\$37,334.70</td> </tr> </table>		Total Charges	J. Discount from Block 4 Worksheet	90.00	K. Funding Commitment Request (I x J)	\$37,334.70										
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	15b Contract Number N/A																	
15c <input type="checkbox"/> Check this box if this Funding Request is covered under a master contract (a contract negotiated by a third party, the terms and conditions of which are then made available to an eligible entity that purchases directly from the service provider).																		
15d <input type="checkbox"/> Check this box if this Funding Request is a continuation of an FRN from a previous funding year based on a multi-year contract. If so, provide that FRN here:																		
16a Billing Account Number (e.g., billed telephone number)																		
16b <input type="checkbox"/> Check this box if there are multiple Billing Account Numbers and attach a complete list of those numbers to this page.																		
17 Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing) 12/02/2013																		
18 Contract Award Date (mm/dd/yyyy) 01/07/2014																		
19 Service Start Date (mm/dd/yyyy) 07/01/2014																		
20a Service End Date (mm/dd/yyyy)																		
20b Contract Expiration Date (mm/dd/yyyy) 06/30/2019																		
21 Description of This Service: NOTE: All Item 21 Attachments must be filed before the close of the filing window. Attachment You MUST attach a description of the service, including a breakdown of components, costs, manufacturer name, make and model number. You must include any additional account or telephone numbers if the billed account has multiple numbers. Label the description with an Attachment Number, and note number in space provided.																		
22 Entity/Entities Receiving This Service:		a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service:																
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Entity Number: 140099	Applicant's Form Identifier: Keystone Y17
Contact Person: Karla Hall or Chris Webber	Contact Phone Number: (918) 445-0048

Block 5 (Continued):

24 Description of Broadband and other Connectivity Services Ordered for Schools and Libraries from this funding request

☐

Complete the information below for this funding request only if requesting **Telecommunications Services** or **Internet Access** for the purpose of providing broadband and other types of connectivity to school and/or library facilities.

☐

Check this box if this request is for services or equipment that do **not** provide broadband or connectivity. For instance, check the box if this funding request is for internal connections, basic maintenance, or requests for services like e-mail or phone service.

a Which technology(ies) and speed(s) are being provided in this Funding Request? Please list the number of lines and average download speed for the lines included in this funding request. If there are multiple download speeds for the lines within one type of broadband connection, this form provides two additional lines per broadband connection category. If you need additional space, please make copies of this page and number the completed pages to assure that they are all processed correctly. A response to this item is not a substitute for a complete response to Item 21 but should be consistent with the description of services in the response to Item 21. Please ask your service provider if you need assistance.

Type of Connection	Number of lines included in this FRN	Download speed per line in Mbps
Fiber optic/OC-x	1	20

b If the Internet service is available to students or patrons in more than just a single location or office, please indicate:

1.

If the access is provided by wired connections, approximately what percentage of the school classroom or public library rooms included in the Block 4 worksheet for this FRN will have access to wired drops? 100 %

2.

If the access is provided by Wi-Fi connections, approximately what percentage of the school classroom or public library rooms included in the Block 4 worksheet for this FRN will have access to a Wi-Fi signal? 10 %

c For consortia and statewide applications, do the connections in this FRN include the last mile connection to the school or library? ☐ Yes ☐ No
If **no** above, are these connections only for backbone connections? ☐ Yes ☐ No

Entity Number: 140099		Applicant's Form Identifier: Keystone Y17																												
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Entity Number: 140099	Applicant's Form Identifier: Keystone Y17
Contact Person: Karla Hall or Chris Webber	Contact Phone Number: (918) 445-0048

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10 <input type="checkbox"/> If this is a duplicate Funding Request (e.g., of an FRN that is not yet approved, under appeal, etc.), check this box and enter the original FRN in the space provided:																														
11 Category of Service (only ONE category should be checked) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> PRIORITY 1 <input checked="" type="checkbox"/> Telecommunications Service <input type="checkbox"/> Internet Access </td> <td style="width: 50%; vertical-align: top;"> PRIORITY 2 <input type="checkbox"/> Internal Connections Other than Basic Maintenance <input type="checkbox"/> Basic Maintenance of Internal Connections </td> </tr> </table>		PRIORITY 1 <input checked="" type="checkbox"/> Telecommunications Service <input type="checkbox"/> Internet Access	PRIORITY 2 <input type="checkbox"/> Internal Connections Other than Basic Maintenance <input type="checkbox"/> Basic Maintenance of Internal Connections	23 Calculations <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td rowspan="5" style="width: 10%; text-align: center; vertical-align: middle;">Recurring Charges</td> <td style="width: 50%;">A. Monthly charges (total amount per month for service)</td> <td style="width: 40%; text-align: right;">\$479.78</td> </tr> <tr> <td>B. How much of the amount in A is ineligible?</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>C. Eligible monthly pre-discount amount (A minus B)</td> <td style="text-align: right;">\$479.78</td> </tr> <tr> <td>D. Number of months service provided in funding year</td> <td style="text-align: right;">12</td> </tr> <tr> <td>E. Annual pre-discount amount for eligible recurring charges (C x D)</td> <td style="text-align: right;">\$5,757.36</td> </tr> <tr> <td rowspan="4" style="text-align: center; vertical-align: middle;">Non-Recurring Charges</td> <td>F. Annual non-recurring charges</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>G. How much of the amount in F is ineligible?</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>H. Annual eligible pre-discount amount for non-recurring charges (F minus G)</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>I. Total funding year pre-discount amount (E + H)</td> <td style="text-align: right;">\$5,757.36</td> </tr> <tr> <td rowspan="2" style="text-align: center; vertical-align: middle;">Total Charges</td> <td>J. Discount from Block 4 Worksheet</td> <td style="text-align: right;">90.00</td> </tr> <tr> <td>K. Funding Commitment Request (I x J)</td> <td style="text-align: right;">\$5,181.62</td> </tr> </table>		Recurring Charges	A. Monthly charges (total amount per month for service)	\$479.78	B. How much of the amount in A is ineligible?	\$0.00	C. Eligible monthly pre-discount amount (A minus B)	\$479.78	D. Number of months service provided in funding year	12	E. Annual pre-discount amount for eligible recurring charges (C x D)	\$5,757.36	Non-Recurring Charges	F. Annual non-recurring charges	\$0.00	G. How much of the amount in F is ineligible?	\$0.00	H. Annual eligible pre-discount amount for non-recurring charges (F minus G)	\$0.00	I. Total funding year pre-discount amount (E + H)	\$5,757.36	Total Charges	J. Discount from Block 4 Worksheet	90.00	K. Funding Commitment Request (I x J)	\$5,181.62
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12 Form 470 Application Number 401850001160166																														
13 SPIN – Service Provider Identification Number 143025240																														
14 Service Provider Name AT&T Mobility																														
15a <input checked="" type="checkbox"/> Check this box if this Funding Request is for non-contracted tariffed or month-to-month services.																														
15b Contract Number MTM																														
15c <input type="checkbox"/> Check this box if this Funding Request is covered under a master contract (a contract negotiated by a third party, the terms and conditions of which are then made available to an eligible entity that purchases directly from the service provider). 15d <input type="checkbox"/> Check this box if this Funding Request is a continuation of an FRN from a previous funding year based on a multi-year contract. If so, provide that FRN here:																														
16a Billing Account Number (e.g., billed telephone number)																														
16b <input type="checkbox"/> Check this box if there are multiple Billing Account Numbers and attach a complete list of those numbers to this page.																														
17 Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing) 12/02/2013																														
18 Contract Award Date (mm/dd/yyyy)																														
19 Service Start Date (mm/dd/yyyy) 07/01/2014																														
20a Service End Date (mm/dd/yyyy) 06/30/2015																														
20b Contract Expiration Date (mm/dd/yyyy)																														
21 Description of This Service: NOTE: All Item 21 Attachments must be filed before the close of the filing window. Attachment You MUST attach a description of the service, including a breakdown of components, costs, manufacturer name, make and model number. You must include any additional account or telephone numbers if the billed account has multiple numbers. Label the description with an Attachment Number, and note number in space provided. <div style="float: right; text-align: right;">3</div>																														
22 Entity/Entities Receiving This Service:		a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service: b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., 1): 1665515																												

Entity Number: 140099	Applicant's Form Identifier: Keystone Y17
Contact Person: Karla Hall or Chris Webber	Contact Phone Number: (918) 445-0048

Block 5 (Continued):

24 Description of Broadband and other Connectivity Services Ordered for Schools and Libraries from this funding request

☐

Complete the information below for this funding request only if requesting **Telecommunications Services** or **Internet Access** for the purpose of providing broadband and other types of connectivity to school and/or library facilities.

☐

Check this box if this request is for services or equipment that do **not** provide broadband or connectivity. For instance, check the box if this funding request is for internal connections, basic maintenance, or requests for services like e-mail or phone service.

a

Which technology(ies) and speed(s) are being provided in this Funding Request? Please list the number of lines and average download speed for the lines included in this funding request. If there are multiple download speeds for the lines within one type of broadband connection, this form provides two additional lines per broadband connection category. If you need additional space, please make copies of this page and number the completed pages to assure that they are all processed correctly. A response to this item is not a substitute for a complete response to Item 21 but should be consistent with the description of services in the response to Item 21. Please ask your service provider if you need assistance.

Type of Connection	Number of lines included in this FRN	Download speed per line in Mbps
Cellular Wireless	5	1

b

If the Internet service is available to students or patrons in more than just a single location or office, please indicate:

1.

If the access is provided by wired connections, approximately what percentage of the school classroom or public library rooms included in the Block 4 worksheet for this FRN will have access to wired drops? 100 %

2.

If the access is provided by Wi-Fi connections, approximately what percentage of the school classroom or public library rooms included in the Block 4 worksheet for this FRN will have access to a Wi-Fi signal? 10 %

c

For consortia and statewide applications, do the connections in this FRN include the last mile connection to the school or library? ☐ Yes ☐ No
If **no** above, are these connections only for backbone connections? ☐ Yes ☐ No

Entity Number: 140099	Applicant's Form Identifier: Keystone Y17
Contact Person: Karla Hall or Chris Webber	Contact Phone Number: (918) 445-0048

Block 6: Certifications and Signature

25 ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are: (Check one or both.)

a ☒ schools under the statutory definitions of elementary and secondary schools found in the **No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38)**, that do not operate as for-profit businesses and do not have endowments exceeding \$50 million; and/or
b ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools, including, but not limited to, elementary, secondary schools, colleges, or universities.

26 ☒ I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

a Total funding year pre-discount amount on this Form 471 (Add the entries from Items 23I on all Block 5 Discount Funding Requests.)	53767.64
b Total funding commitment request amount on this Form 471 (Add the entries from Items 23K on all Block 5 Discount Funding Requests.)	48390.88
c Total applicant non-discount share (Subtract Item 26b from Item 26a.)	5376.76
d Total budgeted amount allocated to resources not eligible for E-rate support	49500
e Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 26c and 26d.)	54876.76
f <input type="checkbox"/> Check this box if you are receiving any of the funds in Item 26e directly from a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Item 26e.	

27 ☐ I certify that, if required by Commission rules, all of the individual schools and libraries receiving services under this form are covered by technology plans that do or will cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body or an SLD-certified technology plan approver prior to the commencement of service.

Or ☒ I certify that no technology plan is required by Commission rules.

28 ☒ I certify that (if applicable) I posted my Form 470 and (if applicable) made any related RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.

29 ☒ I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.

30 ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. §§ 54.500, 54.513. Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

31 ☒ I certify that I and the entity(ies) I represent have complied with all program rules, including recordkeeping requirements, and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts covering all of the services listed on this Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

Entity Number: 140099		Applicant's Form Identifier: Keystone Y17	
Contact Person: Karla Hall or Chris Webber		Contact Phone Number: (918) 445-0048	

Block 6: Certification and Signature (Continued)

32 ☒ I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.

33 ☒ I certify that I will retain required documents for a period of at least five years (or whatever retention period is required by the rules in effect at the time of this certification) after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.

34 ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

35 ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

36 ☒ I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the eligible and ineligible components as required by the Commission's rules at 47 C.F.R. § 54.504(g)(1), (2).

37 ☒ I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years as required by the Commission's rules at 47 C.F.R. § 54.506(c).

38 ☒ I certify that the non-discount portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

39 Signature of authorized person <input checked="" type="checkbox"/>	40 Date 03/25/2014
---	--------------------

41 Printed name of authorized person Chris Webber

42 Title or position of authorized person Consultant

☐ Check here if the consultant in Item 6g is the Authorized Person.

43a Street Address, P.O. Box, or Route Number
PO Box 701713

City Tulsa
State OK Zip Code 74170-1713

Entity Number: 140099		Applicant's Form Identifier: Keystone Y17	
Contact Person: Karla Hall or Chris Webber		Contact Phone Number: (918) 445-0048	
43b	Telephone Number of authorized Person	(918) 445-0048	Ext.
43c	Fax Number of Authorized Person	(918) 445-0049	
43d	E-mail Address of authorized Person	info@crwconsulting.com	
	Re-enter E-mail Address	info@crwconsulting.com	
43e	Name of Authorized Person's Employer	CRW Consulting	
<p>NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504(c). The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.</p> <p>An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.</p> <p>The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.</p> <p>If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.</p> <p>If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.</p> <p>The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.</p> <p>Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.</p> <p>Please submit this form to: SLD-Form 471 P.O. Box 7026 Lawrence, Kansas 66044-7026</p> <p>For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to: SLD Forms ATTN: SLD Form 471 3833 Greenway Drive Lawrence, Kansas 66046 (888) 203-8100</p>			
FCC Form 471 - December 2013			

[Close Print Preview](#)[Previous](#)

Exhibit 8: Commitment Adjustment Letter



Notification of Commitment Adjustment Letter

Funding Year 2014: July 1, 2014 - June 30, 2015

May 20, 2016

Karla Hall or Chris Webber
KEYSTONE SCHOOL DISTRICT 15
PO Box 701713
Tulsa, OK 74170 1713

Re: Form 471 Application Number:	964484
Funding Year:	2014
Applicant's Form Identifier:	Keystone Y17
Billed Entity Number:	140099
FCC Registration Number:	0012680112
SPIN:	143035519
Service Provider Name:	Meet Point Networks LLC
Service Provider Contact Person:	Beverley Fielding

Our routine review of Schools and Libraries Program (SLP) funding commitments has revealed certain applications where funds were committed in violation of SLP rules.

In order to be sure that no funds are used in violation of SLP rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see <https://www.fcc.gov/encyclopedia/red-light-frequently-asked-questions>.

TO APPEAL THIS DECISION:

If you wish to appeal the Commitment Adjustment Decision indicated in this letter to USAC, your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Number(s) (FRNs) you are appealing. Your letter of appeal must include the
 - Billed Entity Name,
 - Form 471 Application Number,
 - Billed Entity Number, and
 - FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow USAC to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Program - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, see "Appeals" in the "Schools and Libraries" section of the USAC website.

FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. See the "Guide to USAC Letters" posted at <http://www.usac.org/sl/tools/samples.aspx> for more information on each of the fields in the Report. USAC is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on the FRN(s), a separate letter will be sent to the service provider detailing the necessary service provider action.

Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with SLP rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Program
Universal Services Administrative Company

cc: Beverley Fielding
Meet Point Networks LLC

**Funding Commitment Adjustment Report for
Form 471 Application Number: 964484**

Funding Request Number:	2621116
Services Ordered:	INTERNET ACCESS
SPIN:	143035519
Service Provider Name:	Meet Point Networks LLC
Contract Number:	N/A
Billing Account Number:	
Site Identifier:	140099
Original Funding Commitment:	\$37,334.70
Commitment Adjustment Amount:	\$37,334.70
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$0.00
Funds to be Recovered from Applicant:	\$0.00
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. Based on the documentation you provided during the Special Compliance Review, FRN 2621116 will be denied because you did not select the most cost-effective bid proposal. FCC rules state that in selecting a provider of eligible services, applicants must carefully consider all bids submitted and must select the most cost-effective service offering. In determining which service offering is the most cost-effective, entities may consider relevant factors other than the pre-discount prices submitted by providers, but price should be the primary factor considered. The FCC further codified in the Ysleta Order that in evaluating bids from prospective service providers, applicants must select the most cost-effective offering from the bids received. The selected bid must itself be cost-effective compared to prices available commercially and stated that there may be situations where the price of services is so exorbitant that it cannot, on its face, be cost-effective. For instance, a proposal to sell at prices two to three times greater than the prices available from commercial vendors would not be cost-effective, absent extenuating circumstances. You posted requests for minimum 6 MBPS increasing to 20 MBPS, including scalable quotes up to 100MB on FCC Form 470# 401850001160166 and the associated RFP. You received a bid from Airlink offering these specific services at an amount of \$1,800 monthly for 20 MPBS, you received a bid from One Net offering these specific services at an amount of \$1,102 monthly for 20 MBPS and a bid from Meetpoint for \$3,347.50 monthly 20 MBPS. All bids are for the specific services requested on the Form 470. You selected a bid from Meetpoint for an amount of \$3,347.50. The bid chosen is two times more costly than the bid offering from One Net. This violates the FCC requirement that applicants select the most cost-effective offering from the bids received absent extenuating circumstances. During the review you did not present extenuating circumstances which mitigates your choice of a bid over two to three times greater than the price available from another commercial vendor. Therefore, the commitment has been rescinded in full.

Exhibit 9: Administrator Decision Letters



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2013-2014

July 27, 2016

Chris Webber
Keystone School District 15
PO Box 701713
Tulsa, OK 74170-1713

Re: Applicant Name: KEYSTONE SCHOOL DISTRICT 15
Billed Entity Number: 140099
Form 471 Application Number: 909329
Funding Request Number(s): 2476023
Your Correspondence Dated: July 15, 2016

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2013 Notification of Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2476023
Decision on Appeal: **Denied**
Explanation:

- Your FCC Form 471 909329 (FRN 2476023) was denied because you did not select the most cost effective bid proposal. In your appeal, you did not show that USAC's determination was incorrect. Consequently, your appeal is denied.
- FCC rules require that applicants select the most cost-effective products and/or services offering with price being the primary factor. Applicants may take other factors into consideration, but in selecting the winning bid, price must be given more weight than any other single factor. See 47 C.F.R. sec. 54.511(a); also, Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District, El Paso, Texas, et al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., SLD Nos. 321479, et al., CC Docket Nos.

96-45, 97-21, Order, 18 FCC Rcd 26407, 26429, FCC 03-313 para. 50 (rel. Dec. 8, 2003). Ineligible products and services may not be factored into the cost-effective evaluation. *See* Common Carrier Bureau Reiterates Services Eligible for Discounts to Schools and Libraries, CC Docket No. 96-45, Public Notice, 13 FCC Rcd 16570, DA 98-1110 (rel. Jun. 11, 1998).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2014-2015

July 27, 2016

Chris Webber
Keystone School District 15
PO Box 701713
Tulsa, OK 74170-1713

Re: Applicant Name: KEYSTONE SCHOOL DISTRICT 15
Billed Entity Number: 140099
Form 471 Application Number: 964484
Funding Request Number(s): 2621116
Your Correspondence Dated: July 15, 2016

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 Notification of Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2621116
Decision on Appeal: **Denied**
Explanation:

- Your FCC Form 471 964484 (FRN 2621116) was denied because you did not select the most cost effective bid proposal. In your appeal, you did not show that USAC's determination was incorrect. Consequently, your appeal is denied.
- FCC rules require that applicants select the most cost-effective products and/or services offering with price being the primary factor. Applicants may take other factors into consideration, but in selecting the winning bid, price must be given more weight than any other single factor. *See* 47 C.F.R. sec. 54.511(a); also, Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District, El Paso, Texas, et al., Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., SLD Nos. 321479, et al., CC Docket Nos.

96-45, 97-21, Order, 18 FCC Rcd 26407, 26429, FCC 03-313 para. 50 (rel. Dec. 8, 2003). Ineligible products and services may not be factored into the cost-effective evaluation. *See* Common Carrier Bureau Reiterates Services Eligible for Discounts to Schools and Libraries, CC Docket No. 96-45, Public Notice, 13 FCC Rcd 16570, DA 98-1110 (rel. Jun. 11, 1998).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Exhibit 10: 2013 Bid Evaluations

BID EVALUATION SHEET - Short

Fiscal Year 2013

SERVICE/EQUIPMENT BID IS FOR: Internet AccessCOMPANY SUBMITTING BID: Meat Point Networks

Evaluation Factor	Maximum Points	Total Awarded Points
PRICE OF ELIGIBLE GOODS AND SERVICES	40	30
SERVICE HISTORY	20	20
TOTAL POINTS	60	50

Bid Evaluated by: Lori VeteetoDate: 11/15/12Signature: Lori Veteeto

BID EVALUATION SHEET - Short

Fiscal Year 2013

SERVICE/EQUIPMENT BID IS FOR:

Internet Access

COMPANY SUBMITTING BID:

One Net

Evaluation Factor	Maximum Points	Total Awarded Points
PRICE OF ELIGIBLE GOODS AND SERVICES	40	40
SERVICE HISTORY	20	0
TOTAL POINTS	60	40

Bid Evaluated by:

Lori Veteto

Date:

11/15/12

Signature:

Lori Veteto

Exhibit 11: 2014 Bid Evaluations

BID EVALUATION SHEET – Short**Erate Year 2014**

1. **Service that is being evaluated:** Internet Access
Examples include: Internet access, local phone service, long distance service, cell phone service, wireless data plan service, WAN connectivity
 2. **Company that has submitted bid:** Meet Point Networks
 3. **Service level from the bid that is being evaluated:** 20mb
Examples include: Internet access – 20.0 mb, local phone – 50 lines, cell phones – unlimited pooled minutes, wireless data plans – 500 Mb, WAN Connectivity – (5) 1 Gb circuits. You may have to determine per-unit pricing (cost per Mb, for example) to compare bids submitted from different companies at different service levels.
 4. **Price that is being evaluated:** ~~25,000~~ \$40,170 annually
- POINTS MUST BE AWARDED IN ALL CATEGORIES. DO NOT WRITE "N/A" IN ANY CATEGORY.
 - DO NOT GIVE EQUAL POINTS FOR PRICE TO TWO VENDORS UNLESS THEY BID THE EXACT SAME SERVICE FOR THE EXACT SAME PRICE

Evaluation Factor	Maximum Points	Total Awarded Points
PRICE OF ELIGIBLE GOODS AND SERVICES	40	30
SERVICE HISTORY	20	20
TOTAL POINTS	60	50

Bid Evaluated by (one person per sheet): Lori VeletoDate: 12/12/13Signature: Lori Veleto

**BID EVALUATION SHEET – Short
Erate Year 2014**

1. Service that is being evaluated: Internet Access
Examples include: Internet access, local phone service, long distance service, cell phone service, wireless data plan service, WAN connectivity
 2. Company that has submitted bid: One Net
 3. Service level from the bid that is being evaluated: 20mb
Examples include: Internet access – 200 mb, local phone – 50 lines, cell phones – unlimited pooled minutes, wireless data plans – 100 Mb, WAN Connectivity – (5) 1 Gb circuits. You may have to determine per-unit pricing (cost per Mb, for example) to compare bids submitted from different companies at different service levels.
 4. Price that is being evaluated: \$13,224 annually
- POINTS MUST BE AWARDED IN ALL CATEGORIES. DO NOT WRITE "N/A" IN ANY CATEGORY.
 - DO NOT GIVE EQUAL POINTS FOR PRICE TO TWO VENDORS UNLESS THEY BID THE EXACT SAME SERVICE FOR THE EXACT SAME PRICE

Evaluation Factor	Maximum Points	Total Awarded Points
PRICE OF ELIGIBLE GOODS AND SERVICES	40	40
SERVICE HISTORY	20	5
TOTAL POINTS	60	45

Bid Evaluated by (one person per sheet): Lori VetetoDate: 12/12/13Signature: Lori Veteto

BID EVALUATION SHEET – Short Erate Year 2014

1. Service that is being evaluated: Internet Access
Examples include: Internet access, local phone service, long distance service, cell phone service, wireless data plan service, WAN connectivity
 2. Company that has submitted bid: Air Link
 3. Service level from the bid that is being evaluated: 20mb
Examples include: Internet access – 200 mb, local phone – 50 lines, cell phones – unlimited pooled minutes, wireless data plans – 500 Mb, WAN Connectivity – (5) 1 Gb circuits. You may have to determine per-unit pricing (cost per Mb, for example) to compare bids submitted from different companies at different service levels.
 4. Price that is being evaluated: \$ 21,600 annually
- POINTS MUST BE AWARDED IN ALL CATEGORIES. DO NOT WRITE "N/A" IN ANY CATEGORY.
 - DO NOT GIVE EQUAL POINTS FOR PRICE TO TWO VENDORS UNLESS THEY BID THE EXACT SAME SERVICE FOR THE EXACT SAME PRICE

Evaluation Factor	Maximum Points	Total Awarded Points
PRICE OF ELIGIBLE GOODS AND SERVICES	40	35
SERVICE HISTORY	20	5
TOTAL POINTS	60	40

Bid Evaluated by (one person per sheet): 12/12/13 Lori Veteto

Date: 12/12/13

Signature: Lori Veteto